

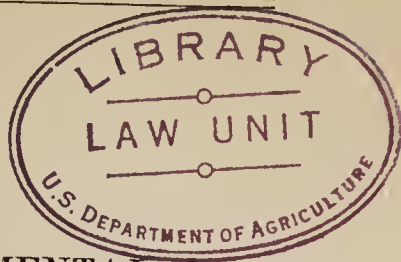
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# REAL PROPERTY (AND LAND) TRANSFERS

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HEARING  
BEFORE THE  
SUBCOMMITTEE ON DEPARTMENTAL  
OVERSIGHT AND CONSUMER RELATIONS  
OF THE  
COMMITTEE ON AGRICULTURE  
HOUSE OF REPRESENTATIVES  
EIGHTY-SIXTH CONGRESS  
FIRST SESSION  
ON  
~~H.R. 2953, H.R. 5442, H.R. 5973, H.R. 6591,~~  
and H.R. 6669

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MAY 20, 1959

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## REAL PROPERTY (AND LAND) TRANSFERS

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WEDNESDAY, MAY 20, 1959

HOUSE OF REPRESENTATIVES,  
SUBCOMMITTEE ON DEPARTMENTAL  
OVERSIGHT AND CONSUMER RELATIONS  
OF THE COMMITTEE ON AGRICULTURE,  
Washington, D.C.

The subcommittee met, pursuant to notice, at 10:05 a.m., in room 1310, New House Office Building, Hon. Paul C. Jones (chairman of the subcommittee) presiding.

Present: Representatives Jones, Hagen, Jennings, Bass, McSween, Stubblefield, and Dixon.

Also present: Representative Smith of Mississippi and Hyde M. Murray, assistant clerk.

Mr. JONES (presiding). The subcommittee will come to order. We have a number of bills here this morning.

(The documents referred to, H.R. 2953, H.R. 5442, H.R. 5973, H.R. 6591, H.R. 6669, and the report of the Department of Agriculture are as follows:)

[H.R. 2953, 86th Cong., 1st sess.]

A BILL To provide for the conveyance of certain real property of the United States to Sophronia Smiley Delaney and her sons

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of Agriculture shall convey by quitclaim deed to Sophronia Smiley Delaney, Woodworth, Louisiana, and her sons Charles Franklin Delaney, Junior, Jimmie Scott Delaney, and Jack Richard Delaney, upon the payment by them to the United States of the sum of \$2,500, all right, title, and interest of the United States in and to the real property described in section 2, which land was acquired by the United States at a cost of \$2,500 for use in connection with Camp Claiborne, Louisiana, during World War II.

SEC. 2. The real property referred to in the first section of this Act is more particularly described as follows: South half of northeast quarter and north half of southeast quarter of section 8, township 2 north, range 2 west, Louisiana meridian, containing 160 acres, more or less, Rapides Parish, Louisiana.

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DEPARTMENT OF AGRICULTURE,  
Washington, D.C., May 20, 1959.

HON. HAROLD D. COOLEY,  
Chairman, Committee on Agriculture,  
House of Representatives.

DEAR CONGRESSMAN COOLEY: This is in reply to your request of May 12, 1959, for a report on H.R. 2953, a bill to provide for the conveyance of certain real property of the United States to Mrs. Sophronia Smiley Delaney and her sons.

This Department recommends that the bill not be enacted.

H.R. 2953 would direct the Secretary of Agriculture to convey all right, title and interest of the United States in and to the S½NE¼, N½SE¼ sec. 8, T. 2



N., R. 2 W., Louisiana meridian, containing 160 acres, more or less, to Mrs. Sophronia Smiley Delaney and her sons, Charles Franklin Delaney, Jr., Jimmie Scott Delaney, and Jack Richard Delaney, upon the payment by them of the sum of \$2,500.

The land described in the bill was purchased from the Delaney family in 1941 for a consideration of \$2,500. It was acquired by the United States for use in connection with Camp Claiborne. Copies supplied to us of correspondence from the Department of the Army indicate that the records of that Department contained no evidence of any agreement or promise to permit the former owners to repurchase the lands after the war. The information available to this Department indicates that the purchase price paid by the United States for the land represented its full value. In 1946 the Army declared this and other tracts in the area surplus and in 1947 they were transferred to this Department at the estimated fair market value for administration as a part of the Kisatchie National Forest pursuant to the Weeks Act of March 1, 1911 (36 Stat. 961). Since that time the value of this tract has increased and in 1957 it was estimated to be worth approximately \$15,000.

This tract is located well within a large acreage of almost solid national forest ownership in the Kisatchie National Forest. It is within an area of about 15,000 acres within the forest administered as the Evangeline Wildlife Management Area. Except for 200 acres owned by the State of Louisiana, all of this wildlife management area is owned by the United States. The transfer of this tract to private ownership would be detrimental to the most efficient administration of the area. Such transfer would unnecessarily complicate and increase the cost of the administration of the area for multiple public benefits.

The Bureau of the Budget advises that there is no objection to the submission of this report.

Sincerely yours,

E. L. PETERSON, *Assistant Secretary.*

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[H.R. 5442, 86th Cong., 1st sess.]

A BILL To authorize the Secretary of Agriculture to sell and convey certain lands in the State of Iowa to the city of Keosauqua

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of Agriculture is authorized to sell and convey to the city of Keosauqua, Iowa, by quitclaim deed, at the fair market value as determined by him, and subject to all outstanding rights, all the right, title, and interest of the United States in and to that certain tract of land containing ninety-nine and fifty-seven one-hundredths acres, more or less, located in Van Buren County, Iowa, in and adjacent to the city of Keosauqua, conveyed to the United States by the Grand Lodge of the Ancient Order of United Workmen of North Dakota by deed dated December 10, 1936, and recorded in Van Buren County in book 78 on page 303.

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[H.R. 5973, 86th Cong., 1st sess.]

A BILL To provide for the removal of the restriction on use with respect to a certain tract of land in Cumberland County, Tennessee, conveyed to the State of Tennessee in 1938

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of Agriculture is authorized and directed to convey by quitclaim deed or other appropriate means to the State of Tennessee all right, title, and interest remaining in the United States in and to the following described tract of land situated in Cumberland County, Tennessee, which is held by such State under a deed executed by the Farm Security Administrator in 1938:

Beginning at a stake in the center of State Highway Numbered 28 where the lands of Cumberland Homesteads and the lands of Cumberland State Park corner and runs with the centerline of said highway south 45 degrees 12 minutes and 15 seconds east 177.73 feet to a stake; thence continuing with the centerline of said highway south 23 degrees 38 minutes and 30 seconds east 755.40 feet to



a stake; thence continuing with the centerline of said highway south 43 degrees 03 minutes and 15 seconds east 155.65 feet to a stake; thence leaving said highway south 44 degrees 13 minutes and 45 seconds west 600 feet to a stake; thence north 29 degrees 54 minutes and 00 seconds west 1,073.90 feet to a stake; thence north 44 degrees 13 minutes and 45 seconds east 600 feet to the beginning; containing 14.3 acres, more or less; being located at the northeast corner of the Cumberland State Park in Cumberland County, Tennessee.

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[H.R. 6591, 86th Cong., 1st sess.],

**A BILL** To provide for the conveyance of certain real property of the United States to the Leland Consolidated School District, Mississippi

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of Agriculture shall convey, without consideration, to the Leland Consolidated School District, Leland, Mississippi, all right, title, and interest of the United States in and to that portion of the property of the United States of America known as the Lucy Armstrong tract and a part of the property comprising the United States Cotton Field Station having a common boundary with the Leland Consolidated School District Property on the west and the center or thread of stream of Deer Creek on the east and southerly boundary of property, said land being located and situated in the northwest quarter of section 14, township 18 north, range 7 west in Washington County, Mississippi, and being more particularly described as follows: Commencing at the northeast corner of block 7 of the Armstrong Second Addition to the city of Leland, Washington County, Mississippi, thence north 88 degrees 39 minutes east 50 feet to an iron pipe which is the point of beginning, thence north 1 degree 21 minutes west, 50 feet to an iron pipe, thence north 88 degrees 39 minutes east, 294.5 feet to a railroad rail set on the west boundary of the United States Cotton Field Station property, thence north 1 degree 21 minutes west along said west boundary of United States Cotton Field Station property (being also the east boundary of School property) 735.00 feet to an iron pipe, thence south 88 degrees 39 minutes west, 294.5 feet to the point of beginning and containing 20.60 acres gross, less 4.01 acres lying inside the high bank line of Deer Creek which leaves a net total of 16.59 acres more or less.

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[H.R. 6669, 86th Cong., 1st sess.],

**A BILL** To amend the Act of July 14, 1945, to provide that the Louisiana State University and Agricultural and Mechanical College may use certain real property heretofore conveyed to it by the United States for general educational purposes

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the first section of the Act entitled "An Act to transfer certain lands situated in Rapides Parish, Louisiana, to board of supervisors of Louisiana State University and Agricultural and Mechanical College", approved July 14, 1945 (59 Stat. 468), is amended by striking out "for the establishment and maintenance of an agricultural and vocational school" and by inserting in lieu thereof the following: "for educational purposes."

**SEC. 2.** The Secretary of Agriculture shall execute such instruments in writing as may be necessary to carry out the amendment made by the first section of this Act.

**Mr. JONES.** In order to expedite this hearing, I am going to have Congressman Schwengel, from Iowa, present his bill first. It will take him only about 5 minutes, I think, so at this time we will hear from Congressman Schwengel on H.R. 5442.

I understand that you have a prepared statement, Congressman. If you would like to read that or to file it for the record, either way will be all right.

**STATEMENT OF HON. FRED SCHWENGEL, A REPRESENTATIVE IN CONGRESS FROM THE FIRST CONGRESSIONAL DISTRICT OF THE STATE OF IOWA**

Mr. SCHWENGEL. Mr. Chairman and gentlemen of the committee, I appreciate this opportunity to appear before you in behalf of H.R. 5442, which is a bill to authorize the Secretary of Agriculture to sell some 95 acres of Government-owned land adjacent to the city of Keosauqua, Van Buren County, Iowa, to that city for municipal purposes.

This is a clear case of the Government wishing to dispose of the property and the city of Keosauqua anxious to purchase it.

The Forestry Service acquired the property in 1936 as a nursery site and for a number of years it was used for that purpose. From 1943 to 1957 the tract was leased to a farmer in the area for agricultural purposes, mainly for the growing of hybrid seed corn.

The tract has not been used the last 2 years because of the policy—and a very wise one, I believe—of the Department of Agriculture which prohibits the growing of price-supported crops in surplus supply on Federal land.

I think this came as the result of the action of your committee, which I thought at the time was a very wise move.

The decision was reached some time ago in the Forestry Service to dispose of this land. It was acquired under the Weeks Act, and although there is authority to sell for agricultural use, under the Weeks Act there is no authority to declare the land surplus or sell it for other purposes.

The city of Keosauqua does not have an adequate sewage disposal system. Raw sewage is allowed to enter the Des Moines River which flows between the city and the tract of land in question. This is a health menace and unwarranted contamination of the stream.

The city is interested in the tract of land covered by the bill to use as the location for a sewage lagoon, and I compliment them for it in doing something about the contamination that results.

A city council survey has shown that by placing the lagoon on the land across the river and below the elevation of the city, rather than on a grade level higher than the city, the sewage could be pumped across the river to the lagoon far more economically than any other system which could be worked out.

It is estimated that some 20 acres will be needed for the sewage lagoon. The city would like to acquire the entire tract, however, and develop the balance for recreation facilities. H.R. 5442 is written to authorize the sale of the entire tract.

There would appear to be no controversial features about this bill. The Government wishes to dispose of the land; the city wishes to purchase it. The city isn't asking for a grant. It wishes to buy at a fair market price. It is my hope that this committee will see fit to approve the bill so that the transaction can move forward.

Thank you.

Mr. JONES. Mr. Schwengel, you mentioned here that there is a clear case of the Government wishing to dispose of the property. What is the authority for that statement?

Mr. SCHWENGEL. We have correspondence here from the Department of Agriculture indicating that they want to dispose of the prop-



erty, but they can only dispose of it under the Weeks Act, which provides that it can only be disposed of to be used again for agricultural purposes.

There is no real desire on the part of anybody to acquire it for agricultural purposes, but there is a real desire and a real need for the community there to acquire this property so that they can build an adequate sewer system, which they want very much to do.

This would save them thousands of dollars in the building of their sewer system. And in addition it would give them very valuable and needed recreational space.

Mr. JONES. The reason I asked that question is that we do not have a report from the Department as yet. We did not send for the report until just recently. Or do we have the report?

Mr. SCHWENGEL. I do not believe the report is here before your committee, but I am sure that it is forthcoming. We have been in contact with the Department on this matter, and as nearly as I can find out, there is no disagreement on the part of the Government.

Mr. JONES. I think that I can assure you that the subcommittee will be in a position to give you a favorable action, if there is no objection.

Thank you very much.

Do you have any questions?

Mr. BASS. No.

Mr. SCHWENGEL. Thank you.

Mr. JONES. The next bill that we will take up is H.R. 2953, by Mr. McSween, the Congressman from Louisiana. We will be very happy to hear from you at this time, Mr. McSween.

Go right ahead.

Mr. McSWEEN. Thank you.

#### STATEMENT OF HON. HAROLD B. McSWEEN, A REPRESENTATIVE IN CONGRESS FROM THE EIGHTH CONGRESSIONAL DISTRICT OF THE STATE OF LOUISIANA

Mr. McSWEEN. Mr. Chairman and gentlemen of the committee, first I want to say that I appreciate very much your giving us this hearing on H.R. 2953, which is identical to S. 6, introduced in the other body by Senator Ellender, also of Louisiana.

This deals with a situation that I am sure that you and the other members of the committee have many examples of in your own areas.

The property was acquired, as you know, in all parts of the Nation during the early forties for war purposes. It was either bought or condemned by the War Department. And subsequently, much of this property went back to the original landowners. In many instances it went to other Government agencies under the priority arrangement provided for in an act of Congress of 1944.

In the instant case, we are dealing with 160 acres located near Alexandria, La., in an area near what was then Camp Claiborne, La.

These 160 acres was the family place of a family by the name of Delaney.

Soon after Mr. Delaney died in 1940, representatives of the Army began negotiations with the widow, Mrs. Delaney, to buy the property for military purposes.

This property, as I say, was a home place, occupied as the home of this family, and it even had the family cemetery on it.

So she did not wish to sell the property, but at that particular time, you know, we were going to war, and the Government was put in the position of condemning a great deal of property wherever they needed land for military installations.

So with the understanding that this property would be reconveyed to her and to her coowners, when and if the Army had no more use for it, in order to avoid condemnation proceedings she and the heirs agreed to sell this property in 1941.

To make a long story short, she never did have the opportunity to reacquire this property, because others higher on the priority list, namely the Department of Agriculture, for the U.S. Forest Service, exercised the priority which ranked above the priority given by statute to former owners.

So the title to this property is now held by the Government through the Department of Agriculture and the U.S. Forest Service.

There is an unfavorable report to this bill by the Department of Agriculture which points out briefly that the property was adequately paid for in 1942, \$2,500 was the price, for the 160 acres.

It further states that the land is now worth \$15,000 and that—this tract is located well within a large acreage of almost solid national forest ownership in the Kisatchi National Forest. It is within an area of about 15,000 acres within the forest administered as the Evangeline Wildlife Management Area. Except for 200 acres owned by the State of Louisiana, all of this wildlife management area is owned by the United States.

I will show you a map in a minute of this area.

The report further says that—

The transfer of this tract to private ownership would be detrimental to the most efficient administration of the area.

Mr. Chairman, let me just say that I feel that that certainly is of interest and benefit to all of us in this Nation, because that is an interest which must be balanced against the interest of this family, and in the interest of the obligation that all of us have toward owners of property which subsequently has gone into the hands of the Government for one purpose, namely a war effort service, and which is now in the hands of another agency of the Government with no connection at all between the original purchase for which the property was acquired by the Government.

Let me show you, if I may, a map of this section. It is this area in Louisiana [indicating] wherein the subject property is located. This will help you to visualize the physical location of this property.

Alexandria would be in this area up here [indicating] and the subject property, the 160 acres in the form of a square, is here [indicating]. That is a piece of property owned privately.

All of this land in white is owned privately.

Obviously it would be beneficial to the Government in connection with this to own all of this land.

However, I think that the interests of these former landowners is paramount to the general interest of our Government to have a complete block in this area.

Mr. BASS. Is all of this that is in the blue enclosure on the map—was that at one time a part of the military reservation?

Mr. McSWEEN. Actually, this is not a part of the——

Mr. DELANEY. If there is any question that I could answer, I shall be glad to.

Mr. McSWEEN. This is not a part confined to Camp Claiborne—adjacent to it—is that right?

Mr. DELANEY. That 160-acre tract was acquired as a part of the northern limits, the safety zone of the rifle range for Camp Claiborne, La.

Mr. BASS. What is this zone marked out in blue? Is that the division that you are talking about?

Mr. McSWEEN. That is supposed to be——

Mr. DELANEY. If I may, sir, I might be of help.

This block represents the National Forest Service area of prime responsibility. That is the basic forest ownership tract.

Outside of it was acquired after the basic purchase.

Mr. JONES. Is this lower part outside still part of the national forest?

Mr. DELANEY. Everything in green is in the national forest.

Mr. BASS. Is that part of it, to acquire that land in the enclosure—is that not in the interests of the national forest to acquire that?

Mr. DELANEY. I know there has been an attempt in the past. What the current outlook is, I do not know, sir.

Mr. BASS. How long has this legislation been pending?

Mr. DELANEY. Affecting the national forests since 1930, it has been in their possession.

Mr. McSWEEN. Here is the actual main camp area.

Let me make a reference to another area of land in the vicinity to illustrate this. This piece of property is also in my district, in this general area, which is just below another area of that forest.

This area in red is generally known as the Breezy Hills area. It is used as an artillery range, that is, it was during the war, for the Army.

Mr. BASS. I used to use that. Did we not have maneuvers down in that area?

Mr. McSWEEN. Yes, we did. It was acquired as an artillery range. Subsequently, it was acquired by the Department of Agriculture, the same as the subject property was acquired.

You will notice that a lot of this is in white. That means that it is privately owned.

Now, all of it at one time was owned by the Government here for the use of this artillery range.

It is my information that the way that this got back into private hands, this property in white here, was that when these former property owners, after the cessation of hostilities, received notice that it was going to be returned they had a meeting back in the year 1946, was it not?

Mr. DELANEY. Yes, sir, that is correct.

Mr. McSWEEN. A group of the former landowners, thinking that they would not be able to exercise their priority because they were fourth on the list, got together and they contacted one of my predecessors in office, Mr. Allen, to prevail upon authorities here not to exercise their priority, so that these former landowners could exercise their option.



That is what they did and they reacquired their property from the Government.

This is, also, in the forest area maintained by the Forest Service.

The same arguments that applied to the area south of Alexandria apply north of it. We are dealing with a case, probably, is the most extreme of the many cases that could be brought before Congress dealing with property owned formerly by private owners and now in the hands of the Government as the result of transfer from the War Department to another branch of the Government for a purpose different from that for which it was acquired originally. And I am asking this committee to give particular consideration to the merits of this case in view of the unusual circumstances, with particular attention being paid to the fact that this family's cemetery is there; and even had their property not been willingly sold, there is some question as to whether the Government, under condemnation proceedings, would have been given the right by the Federal court to a permanent title to this property containing the cemetery.

I think the committee is familiar with other cases where cemeteries are involved. And you know the delicate situation that that brings forth, and the many careful provisions that the Government takes with regard to land whereon there is a cemetery.

I appreciate very much that the committee is here.

One of the persons who has an interest in this property as a former coowner is Mr. Charles Delaney, and he has a statement that he would like to give to you. I think that he can give you in detail many of the facts that I have glossed over.

Thank you very much, Mr. Chairman.

MR. JONES. Thank you, Congressman McSween. We will be glad to hear from Mr. Delaney now.

#### STATEMENT OF CHARLES FRANKLIN DELANEY, JR.

MR. DELANEY. Mr. Chairman and members of the subcommittee, I am most grateful to have this opportunity to testify on behalf of my mother, Mrs. Sophronia Smiley Delaney, and my two brothers, Jack and James Scott.

I am very regretful that it was not possible to have my mother appear along with my two brothers but my mother is at present in the hospital, the Baptist Hospital, in New Orleans at this time. So I am here at my own expense to present this case of what we feel, and have felt for years, is an extreme injustice done our family by the U.S. Government following the completion of World War II emergency.

We have for over 11 years tried to correct this injustice without success. H.R. 2953 and S. 6 will, if given favorable action, correct the injustice done my family. Countless hours and great expense have gone into our efforts to regain our property.

I am aware of the fact that the U.S. Forest Service, Department of Agriculture, is involved in this case. And, of course, their side of the case will be presented to you no doubt this morning.

I would like to say at this time, just as a matter of information, that I myself am now a professional forester and I have an intense interest in all forestry efforts, not only those of Louisiana but of this Nation.



My father started the first pine tree nursery in Louisiana. He and Mr. Harter, I believe you will learn if you go into Louisiana forest history, are responsible, I am proud to say, for the forestry program, not only in the State of Louisiana but, perhaps, over the South.

At this time I am going to give you some of the details of this case and request that you give them your earnest consideration.

This land was acquired by the War Department in the fall of 1941 only after threats of condemnation proceedings, for use as a safety zone for rifle range, Camp Claiborne, La.

This land was not willingly sold to the War Department.

My mother was contacted by two officers of the Quartermaster Corps of the U.S. Army 2 months following my father's death, July 12, 1940, and at that time they told my mother that this property, these 160 acres, which had been in my family for over 100 years, was necessary in the national interest as a rifle range, a safety zone for Camp Claiborne, La.

They further told her that failure to secure the land for the United States of America would result in condemnation proceedings to sell it to the United States.

My mother at that time begged the War Department officials to lease and have full use of this property for use in the war emergency so that the property would not change title to the United States of America. However, the two Quartermaster Corps officers, whose names the Department of Defense states they cannot find in the records—they state they cannot find the names in the records, that is, of any officers or officials involved in land acquisition, which I really cannot understand—these officers stated that the War Department's policy at that time would not permit the leasing of land for war purposes in this instance and that the title of the land would necessarily have to pass to the United States of America.

At that time no action was taken. Several months later—in fact about 6 months later—it looked like—in fact we had thought that probably the land would not be needed—the officers came back again and stated that the land definitely was needed and that the property had to be acquired. And at that time they drew up tutorship proceedings, because of the fact that my two brothers and myself were minor children at the time—I was 12, Jack was 10, and Jimmy was 8—they drew up the tutorship proceedings of which I have a copy, and which I would like to read a portion of to you.

It states that the said minors are the owners of certain undivided interests in and to the following described property; to wit, a certain piece, parcel, or lot of ground located in the parish of Rapides, State of Louisiana, and being more particularly described as the south half of the northeast one-quarter and the north half of the southeast one-quarter of section 8, township 2, north range 2, west, Louisiana meridian, containing 160 acres, more or less together with all buildings and improvements thereon, and all rights, ways, and privileges thereto belonging.

It goes on to state that the United States of America is desirous of purchasing this entire tract of land above described for the sum of \$2,500 cash, that this sum represents a cash consideration to each of the said minors of \$416.66 for the transfer of an undivided one-sixth interest each of the said minors.

It goes on here to state that the property had been appraised in these proceedings as having an actual cash value of \$800, said appraisal having been made on August 9, 1940, by two appraisers appointed by this honorable court.

Gentlemen, I would like to touch on that one statement right there.

In Louisiana, as Congressman McSween can tell you—I am sorry, I will correct myself—I refer to these as condemnation proceedings—these are the tutorship proceedings that I am quoting from. I would like to bring out a point from the paragraph that I just read, in Louisiana, as Congressman McSween certainly will tell you, land in Louisiana is appraised on the assessment rolls, not up to its real value; it is only appraised at a fraction of its real value. Is that not right?

Mr. McSWEEN. That is correct.

Mr. DELANEY. That land on the assessment rolls was appraised at \$5 per acre. So, therefore, that is where the United States of America got the figure of \$800 which they used in these tutorship proceedings as the value of the property.

I would like to state here that these proceedings were drawn up by representatives of the Service, of the War Department. The lawyer that was working with them drew up these papers and brought them to my mother to have them signed.

And it states here, pursuant to an order of this honorable court, dated August 9, 1940, your petitioner has already sold all of the timber on the said property for the sum of \$800 cash.

Gentlemen, I am a professional forester at this time and I state this to you as a professional forester: The timber that is on that tract now ranges over 40 acres of it in poles and other material and is 40 to 60 years of age.

The reason that I point that out is that some timber was sold off the property in 1940, to be exact, August 8, of 1940, a month after my father's death to help pay off some claims, some debts. But all of the timber was not sold off of that property, or else that property would have far less value now than the Forest Service stated in the adverse report, because they have not planted any trees. They have added no seedlings. They have added nothing to the property.

So this statement in the tutorship proceedings that they drew up, to say the least, is inaccurate.

I would like to read this next paragraph: It is believed that it is to the advantage of the said minors to sell their undivided interest in the said property at private sale to the United States of America on the price and terms above set forth for the reason that the said price is well in excess of the appraised value of said property and for the further reason that the property will be acquired by the United States of America through condemnation proceedings which would be costly to said minors unless a sale is made on the above terms.

Gentlemen, I think that proves without question that the land was acquired by the United States by a threat of condemnation proceedings. It was acquired from my mother for a cash value of \$2,500. That included the old house that was on the place as was pointed out here in the beginning. And the reason that the \$2,500 figure was set—and I am sure that the U.S. Government did not intend to purchase it, and I know it is not the policy—was to try to purchase any land for less than its fair value. My mother stated that she would accept that sum in lieu of the fact that they promised—they told her at that time,



"Mrs. Delaney, after the war emergency is over the former owners will be given first option to repurchase this property."

For that reason, she did not contest the \$2,500 evaluation. She was, apparently, going to be able to buy it back anyway. She did not contest the \$2,500 evaluation.

I would like to point this out. I am not here to make any derogatory remarks about the U.S. Forest Service. I feel that it is one of the most efficient organizations in the Government. I do feel that the Forest Service, the Department of Agriculture, has been unfair in this particular case, possibly through general policy.

The family cemetery, as Congressman McSween pointed out, the old graveyard, has been there since the area was homesteaded and would not have been sold at any price had not condemnation proceedings been threatened by the War Department because of the stated need in connection with the national emergency.

The Forest Service, Department of Agriculture, tried to buy this property in the early 1930's. At that time they were advised that the land was not for sale. The reason the Department of Agriculture tried to buy the property at that time, the U.S. Forest Service, was that the Kisatchie National Forest had its beginning in the 1930's and at that time they were trying to block in their holdings in the Kisatchie National Forest and in particular this Evangeline division of that forest.

Mr. BASS. May I interrupt? Is there any record of their making an attempt to purchase this land at that time?

Mr. DELANEY. Sir, I imagine in their records there would be evidence, possibly. I doubt seriously—I know that we do not have a record—we have affidavits that we could get that confirm that.

Mr. BASS. Does the Forest Service have the right of eminent domain under the law—I mean, can they condemn property themselves?

Mr. DELANEY. I do not know the law on that, but I do not believe that it was the intent of the founders of the Forest Service, nor the founders or the drafters of the Weeks law, to condemn land for acquisition for use in national forests or national forest purposes.

Mr. BASS. I am not an attorney. What is the law? You do not think they have the legal right to do that?

Mr. FLORANCE. The Forest Service has authority to acquire land for national forest purposes.

Mr. BASS. By condemnation?

Mr. FLORANCE. It can under the law use the right of eminent domain. It has not been the policy, except in very unusual cases, that we ever had the Attorney General bring proceedings arbitrarily. Normally, condemnation proceedings are used where the title is defective and for some reason it cannot be approved for purchase.

Mr. JONES. I think the fact that there are private tracts within that forest would indicate that they have not followed a policy of condemnation. Do you say that would be a fair statement?

Mr. FLORANCE. That is correct; yes, sir.

Mr. JONES. You may proceed.

Mr. DELANEY. Thank you, Mr. Florance.

The land was, in fact, as we pointed out, the Kisatchie National Forest boundary and adjoining other privately owned tracts which were not acquired for national forest purposes.

In 1947, Camp Claiborne, following completion of World War II emergency, became surplus to the War Department and disposal was undertaken by the War Assets Administration through the Federal land bank in New Orleans. The notice of sale of these lands for the Camp Claiborne area was handled by the Alexandria, La., office, known as the project office of the Federal Farm Credit Administration, under the Federal land bank, with Mr. John B. Hickman in charge.

On receipt of the notice of sale we found that the following priorities were indicated:

- (1) Government agencies.
- (2) Reconstruction Finance Corporation for resale to small business.
- (3) State and local governments.
- (4) Former owners.

That fourth priority shocked us, to say the least, in view of what representation had been made to us by officials securing the land for war purposes.

The priority list went on to a total of eight priorities and next was tenants of former owners, veterans and spouse of, and children of, deceased servicemen, owner operators, and nonprofit institutions.

These priorities were set up under the Surplus Property Act, I found out later, that was drafted in 1944.

The application, in the case of property acquired by the War Department, that is, land acquired, particularly the odd tracts, seems most unfortunate, and it is not my belief that it was the intent of the War Department, or the United States of America, to threaten condemnation proceedings to acquire land needed for the war effort and then turn around and not let the former owner have first option to reacquire that property after its being no longer needed for that purpose.

Mr. BASS. At the time that the War Department acquired title to this property, was it the law or the policy of the Government—in particular, I would like to know if it was the law that former owners would have first priority?

Mr. DELANEY. I have some affidavits here that I would like to quote from, particularly one of them. I will try to answer your question before I quote, however.

From what I can find out, from information from the Department of the Army, there was no provision in writing that the United States of America, or the War Department, rather in this case, would allow the former owner first option to repurchase the property.

The War Department states that their records do not indicate that that policy was made.

Mr. BASS. In this particular instance, are you talking about what was its general policy?

Mr. DELANEY. That was the general policy.

Mr. BASS. That the owners would not have priority?

Mr. DELANEY. No, sir; that was not mentioned, sir, at the time of acquisition of these lands. It was promised at that time to the individual owners that they would have a first option to be able to buy the land back. I have affidavits to that effect.

Mr. McSWEEN. May I interrupt at this point, Mr. Bass? I have tried to run down that same inquiry. The best information I can find is that this Surplus Property Act was not in existence at the time of



the acquisition of all of the property by the War Department at the beginning of the war, and that the Army, at that particular time, was in good faith telling landowners that it was its policy to sell the land back to the landowner when no longer needed by the Government. That was without authority of law.

As you know, Army policy is subject to change.

Mr. BASS. There was no law?

Mr. McSWEEN. That is my understanding.

Mr. BASS. That is, establishing that as the policy?

Mr. McSWEEN. That is my information.

Mr. BASS. Do you know it as a fact that other property owners in this area, or in the country generally, were given to understand that when property was taken for emergency purposes that the former owners would have the option to buy it back at the same price and so forth?

Mr. McSWEEN. As a matter of fact, I am personally acquainted with numerous similar situations where similar representations were made. As a matter of fact, as you know in my area of Louisiana, surrounding Alexandria——

Mr. BASS. I am very familiar with that section.

Mr. McSWEEN. You were stationed there. We had Camp Claiborne to the south, Camp Livingston——

Mr. BASS. And the Alexandria Airbase.

Mr. McSWEEN. That was right there in town. We were very interested in cooperating with the Government to provide the property that it needed. And private citizens at their own expense and on their own time did a lot of this legwork and got into this business of helping the Army and the Government to acquire this property. And they were parties to many of these representations that, after the war is over, this property will be returned.

Mr. BASS. The reason I am asking these questions is that I can see that this would probably involve a great deal more than just the return of the said parcel that we are talking about here, because I feel quite sure that if this bill were passed—if we were to pass this bill I can foresee the possibility of a great number of these same kind of cases coming before the Congress.

Also, I can understand the right of the owner in feeling that an injustice was performed in the taking of the land. Consequently, the failure to return to the former owner this property as per the promise, so to speak. If the Surplus Disposal Act was passed subsequent to that, 1944, it seems to me that we have a situation of ex post facto involved in not offering for sale these properties back to the former owners.

But this involves, Mr. Chairman, in my opinion, a great deal more than just one parcel of land. It involves, probably, a broad policy that would bring about some consequences all over the United States in certain cases of this type. That was the reason I wanted all of these facts in the record about not just this particular instance, but in the broad area involving these types of cases.

Mr. JONES. Let Mr. Delaney finish his statement with regard to this and then we will have the Department speak on this subject.

Mr. DELANEY. I certainly appreciate your interest and the questions and so forth.

I would like to quote verbatim, in regard to Congressman Bass' remarks, a statement that would have reference to what you just discussed:

I, Charles J. Greene, Jr., a resident of Calcasieu, La., do hereby affirm that I served on the land appraisal jury, Alexandria, Rapides Parish, La., which approved the appraisal values of the land acquired by the War Department, United States of America, for use during the World War II emergency. In all cases, to my knowledge, the Government authorities and the presiding judge gave us, the jury, to understand that the landowners from whom the land was being acquired would be given first priority to repurchase their land after the need for the national defense purposes was completed.

Further, we were given to understand, and landowners were told, that the land would be reconveyed to the former owners after the emergency in all cases at the same price which the War Department paid for the property, except in cases where damages were done, the land would be sold back to former owners for their original acquisition cost to the War Department less the damages done the property by the War Department.

For the above reasons, I most sincerely urge that the Congress of the United States take appropriate and favorable action to correct the injustice done Mrs. Sophronia Smiley Delaney and her children wherein the U.S. Department of Agriculture holds their 160 acres of land acquired by the War Department for use during the World War II emergency.

Favorable action on Senate bill 6 and H.R. 2953 will correct the unfortunate situation of injustice done the Delaney family in connection with the Camp Claiborne training area purchase of 1941.

Mr. Greene served as a member of the land appraisal jury and he has a clear knowledge of what happened at that time.

The next is an affidavit in regard to the same matter testified to by Mr. Greene about the promises made by the War Department procurement officials. This man lived near this property, this old homestead of ours. The affidavit is as follows:

I, R. Mason Smith, age 64, a citizen of Woodworth, Rapides Parish, La., do hereby swear and affirm that I have knowledge of the manner of the War Department land acquisition carried out by the Government in connection with the establishment of, specifically, Camp Claiborne, La., a World War II military installation.

I know that the War Department officials procuring the land and the attorney of Alexandria, La., now deceased, who was assisting in the matter, Mr. James R. Eubank, Rapides Parish, made verbal statements to the landowners that they would be given first option to regain possession of their land, after no longer needed by the War Department in connection with the national emergency, at the same price paid by the Government for the land.

This acquisition for Camp Claiborne, La., was carried out during the period 1940-41, beginning in the late summer of 1940.

After the end of World War II emergency when Camp Claiborne was no longer needed by the War Department, the Government failed to keep the promise to allow the former owners to regain possession of their land, and, instead of the former owners being given first priority, the Federal agency, Department of Agriculture, was given first priority and the former owners were given fourth priority. The U.S. Department exercised its first priority and now holds the land.

I know that extreme injustice was done in this matter wherein the promises of the Government land procurement officials were not kept. I do not understand why the law permitted such an unjust situation to happen.

I urge passage of Senate bill 6 and H.R. 2953.

And this affidavit is notarized and signed "R. Mason Smith," of Rapides Parish, La.

I quoted those affidavits to show you that I do not want you to take the word of only my family that we were promised the land back, but of people who had direct connection with the acquisition by the War Department of the property.

Mr. JONES. Is Mr. Eubank still living in that area now?



Mr. DELANEY. Mr. Chairman, Mr. James R. Eubank referred to herein, as was pointed out, was a relatively young man and had a severe heart attack just after the war. He is deceased at this time.

Mr. McSWEEN. That gentleman, subsequently, became associated with me in the practice of law, and, as the witness said, he died in 1952 at the age of 37. We have no way of bringing to you his understanding, except in this manner.

Mr. JONES. Very well.

Mr. DELANEY. Mr. James R. Eubank, I might point out, I know was an honorable man. He made those promises, and in his opinion, I am sure, in the best faith for the United States of America. It was his opinion, I know. I know that he did not try to misrepresent the facts when he promised the people that they would be able, and us that we would be able, to reacquire the land. He did that in good faith, thinking that the privilege for which the land was being acquired—namely, the war emergency—after it was no longer needed, the former owner would be given first priority to reacquire that property.

Mr. JONES. In other words, Mr. Eubank was an attorney in Alexandria at that time and participated in some of these proceedings in obtaining the purchase of land?

Mr. McSWEEN. The Department of Justice at that time was overburdened with many of these local legal problems, and they hired local attorneys to do specific work.

Mr. JONES. This man, Mr. Smith, who made this affidavit, is he living in that area now?

Mr. DELANEY. Yes, sir; that is correct.

Mr. JONES. Is he a landowner in that area?

Mr. DELANEY. Yes, sir; he is.

Mr. JONES. Has he sold any land to the Government for the same purpose?

Mr. DELANEY. No; his mother did.

Mr. JONES. Have they obtained the return of any of their land?

Mr. DELANEY. No, sir; they have not. I asked him that question when he gave this affidavit and he said:

Mr. Delaney, my mother sold the tract under similar conditions. It was just a very small tract. My mother got such a price, so high, that she would not want to buy that particular tract back. Therefore, we have no interest.

That was his statement to me.

Mr. JONES. Very well. You are going to file this complete statement, I take it? We have been moving along a little slower than I had hoped, since we have other bills to take up.

Are there any other pertinent facts that you want to get into the record in addition to your statement that you are going to file here?

(The entire statement of Mr. Charles Franklin Delaney is as follows:)

STATEMENT OF CHARLES F. DELANEY, JR.

Mr. Chairman and members of the subcommittee, I am most grateful to have this opportunity to testify on behalf of my mother, Mrs. Sophronia Smiley Delaney, and my two brothers, Jack and James Scott, on a case of extreme injustice which was done our family by the U.S. Government following completion of the World War II emergency.

We have for over 11 years tried to correct this injustice without success. H.R. 2953 and S. 6 will, if given favorable action, correct the injustice done my family. Countless hours and great expense have gone into our efforts to regain our property.

This land was acquired by the War Department in the fall of 1941, only after threats of condemnation proceedings, for use as a safety zone for rifle range, Camp Claiborne, La. The land was not willingly sold to the War Department. The threat of condemnation proceedings is contained in the tutorship proceedings which were required because my father had died a few months previous, leaving my mother and three minor children, Jack, age 11, Jimmie, age 9, and Charles, age 13. My mother had begged the Quartermaster Corps officers to lease, rather than force the sale of the land, but they refused to do so, stating that this was impossible because of the War Department procurement policy and regulations. The officers stated that if we did not fight the condemnation proceedings and would sell the land willingly, that after the national emergency was over the land would either be given back or sold back for the original acquisition price less damages. They also stated that, to show good faith, all the oil and mineral rights could be reserved and were good forever, but could not be exploited or developed without permission of the War Department.

The family cemetery is on this place and would not have been sold at any price had not condemnation proceedings been threatened by the War Department because of the stated need in connection with the national emergency.

The Forest Service, Department of Agriculture, tried to buy this property in the early 1930's. At that time they were advised that the land was not for sale. (The land was inside the Kisatchie National Forest purchase boundary and adjoining other privately owned tracts which they also tried without success to acquire.)

In 1947 Camp Claiborne became surplus to the War Department and disposal was undertaken by the War Assets Administration through the Federal land bank, New Orleans. The notice of sale of these lands for the Camp Claiborne area was handled by the Alexandria, La., project office with Mr. John D. Hickman in charge. On receipt of the notice of sale we found that the following priorities were indicated:

1. Government agencies.
2. Reconstruction Finance Corp., for resale to small business.
3. State and local governments.
4. Former owners.
5. Tenants of former owners.
6. Veterans and spouse of and children of deceased servicemen.
7. Owner operators.
8. Nonprofit institutions.

It is truly amazing that former owners were placed fourth on the priority list to repurchase their lands, even in spite of the purpose for which the lands were purchased by the War Department, and in spite of the manner in which they went about it: threatening condemnation proceedings, and otherwise forcing the sale from private ownership to the Government.

On finding that we were fourth on the priority list to repurchase our land, my mother immediately contacted Mr. John D. Hickman, the project manager for Rapides Parish, and he advised that the notice of sale was according to law and that my mother would have to wait and see if the higher priority holders would decline to exercise their priority within the allotted time.

Several days later my mother again contacted Mr. Hickman and he advised that the U.S. Forest Service, Department of Agriculture, had exercised their first priority and that he was very sorry. We had just been the victim of an apparently selfish landgrab by the Federal Government which had been unsuccessful to procure the land prior to the forceful threat of condemnation proceedings by the War Department. The Department of Agriculture discounted the reason and method by which and through which the land had been procured for use during the World War II emergency. This type of action causes loyal citizens to lose faith in the Government.

Unknown to Mr. Hickman of the Alexandria office, Federal land bank project office, or to us (at the time), people who were placed in the same unfortunate and unjust position in the War Department land acquisition and disposal deal, also within the Kisatchie National Forest purchase boundary; namely, the Breezy Hill Artillery Range Area, received the identical same notice of sale showing the same priorities; i.e., Government agencies first priority with the former owners listed fourth to repurchase their lands which had been acquired by the War Department also for use in the World War II emergency. The deeds read the same (exactly) and the same promise (verbal) to return the land to original owners after need for the national emergency was over. On-the-ground proof exists as to just how and why the people in that area were successful in repurchasing their land in spite of the first priority granted the



Government and in spite of the fact that most of this land was forest land by description, most tracts being completely surrounded by national forest lands.

What actually happened was that several influential citizens who were personally affected by virtue of having land involved, took the initiative and called a meeting of the landowners involved at Colfax, La., and formed a protest group of very angry citizens whom had received the notice or sale giving them fourth priority as former owners of the land. This group pressure was instrumental in getting former Congressman Leonard Allen (Congressman at the time) to persuade the Forest Service, Department of Agriculture, to relinquish their intended effort to acquire the property of the above noted landowners.

The deeds in our case read exactly the same as those deeds above to the United States and the land was resold to the original and former owners for the exact price the land was acquired by the War Department with the only exception being that some of the land was returned for the original price the Government had paid, less damages claimed done the land by the War Department. I have a partial list of these landowners and all of them indicate that they would be very happy to testify on the injustice almost imposed on them wherein the Department of Agriculture, Forest Service, tried to exercise the first priority granted them and acquire their land since it was within the purchase boundary of Kisatchie National Forest and many of the tracts completely surrounded by National Forest land at the time.

An adverse report from the Department of Agriculture indicates that the property in question was appraised in 1957 as being worth \$15,000, only 9 years and a few months after acquisition by the Forest Service, Department of Agriculture. In view of the fact that the Forest Service has planted no trees, added absolutely nothing to the property and the only significant action has been a timber harvest by the Department which netted a nice financial return, I would say that the Forest Service has been adequately compensated for any administrative or other expense which they might claim in connection with the holding and management of this property since acquisition by that agency. Other lands procured by the War Department for this same World War II emergency were returned at the time of the Department of Agriculture, Forest Service acquisition of this property at the actual acquisition cost to the War Department of the United States. Therefore if the Government had kept its promise in 1947, the same procedure would have been followed in our case.

The Department of Agriculture does not care to consider the fact that available evidence exists showing continuous effort on the part of my family since 1947 to correct the injustice imposed by the Government in disposal of the property. This seems to be conclusive proof that the Department of Agriculture has a selfish interest rather than in interest in seeing justice done in this case. It would be interesting to show that amount of funds transferred from the Department of Agriculture to the War Department in connection with acquisition by that agency in the latter part of 1947. I am sure that it was transferred to that agency at the acquisition cost to the Government (War Department) as represented by the purchase price in the fall of 1941 since the War Department resold similar tracts to the original owners at that same acquisition cost as and at the time declared surplus to the needs of the War Department.

I do not feel that the financial aspects should have a bearing on this case, however, I am a professional forester and in addition some of the most skilled and highly recognized foresters in Louisiana have offered to assist in preparing a scientifically accurate regression analysis and projection analysis so as to accurately appraise the property for past, present, and future consideration, if your committee feels that this has a bearing on the case.

The adverse report from the Department of Agriculture is false.

There is, contrary to the adverse report by the Department of Agriculture, definitely an 80-acre tract in the same section, township, and range and adjoining the southwest corner of our 160-acre tract in question—the aforementioned tract is in private ownership—owner Roy O. Martin. Therefore the land within the Wildlife Management Area is not all public land as indicated by the Department of Agriculture report to you. This Wildlife Management Area is the result of a State-Federal agreement whereby the Louisiana Wildlife and Fisheries Commission carries out the wildlife management program on this area of the Kisatchie National Forest. There would be no change in this should the land return to our ownership—the same procedure as the Martin tract would be followed.

The above noted erroneous information by the Department of Agriculture may have been due to lack of knowledge in the matter of the private land ad-

joining the tract of land in question, however, the submission of such information as that in an adverse report affecting and having possible bearing on such an important matter is almost inexcusable.

The Department of Agriculture tries to stand behind the wording "the transfer of this tract to private ownership would be detrimental to the most efficient administration of the area and such transfer would unnecessarily complicate and increase the cost of the administration of the area for multiple public use benefits." In other words, private ownership should not exist, in the opinion of the Department of Agriculture, not withstanding the injustice imposed on the former owner by its method of acquisition by taking advantage of the original forceful means of acquisition by the War Department.

It is almost unthinkable that the Congress of the United States would allow injustices of this type to stand uncorrected.

I served the United States as a paratrooper during World War II from 1944 until 1947, serving 19 months in the Pacific Theater of Operations only to return home to find that the War Department had broken a promise and allowed the Forest Service to purchase the old home place. I again served this country during the Korean war, having been called to active duty from the Reserves. My youngest brother also served with the Marines during the Korean conflict and my other brother, Jack, served in the CIC, U.S. Army. I feel that we have served the United States as loyal citizens and that the Congress should see to it that the injustice which S. 6 and H.R. 2953 would correct is given favorable action.

I have also served the interests of forestry to the best of my ability and am proud to have received honorable mention for the Charles E. Dunbar Civil Service League Award as a result of my performance record with the Louisiana Forestry Commission. Two employees of the Louisiana Forestry Commission were nominated for this first annual Charles E. Dunbar Award—Forest Ranger Alvin Smiley, Rapides Parish and myself. Ranger Smiley received one of the nine awards for his over 25 years of outstanding service to forestry and I received honorable mention. I point this out to you not for the purpose of bragging but to show that I certainly am aware of the forestry considerations of the Department of Agriculture by virtue of service in the field. Forest Ranger Alvin Smiley, having been responsible for all forestry activities as related to privately owned lands as well as cooperative assistance rendered in fire detection and suppression on National forest land, is personally aware of the injustice in this case and has full knowledge of the injustice of the matter. His statement in the form of an affidavit is attached hereto. Mr. John D. Hickman who handled the notice of sale of the property declared surplus by the War Department in 1947 has advised that he will also substantiate the fact that my family tried to repurchase the land at that time—this and the files available should prove without question that continuous effort has been made since the War Department declared it surplus, to reacquire the property.

I have made available to the subcommittee a brochure of facts, including affidavits, and statements supporting this case. I do not ask that this material be incorporated into the printed records of the hearings in the event such are prepared, but I do request that they be made a part of the committee files on this legislation and that the information supplied therein be made available to the Department of Agriculture and, of course, members of the subcommittee for their use and consideration.

A list of the above mentioned materials are as follows :

1. Affidavit—Mrs. Sophronia Smiley Delaney, widow of the late Charles F. Delaney, Sr., deceased July 12, 1940, and mother of Charles, Jack, and Jimmie Delaney, former owner of land in question.
2. Affidavit—Charles, Jr., Jack, and Jimmie Delaney, sons of above mentioned Mrs. Sophronia Delaney.
3. Statement—Mr. John D. Hickman, project manager (1947) Rapides Parish office under Federal Land Bank of New Orleans which handled disposal of Camp Claiborne lands.
4. Statement—Charles J. Greene, Jr., member of Rapides Parish Federal land appraisal jury, War Department land acquisition, World War II emergency.
5. Affidavit—R. Mason Smith, citizen Rapides Parish, 64 years living in vicinity of Delaney land in question.
6. Affidavit—Alvin Smiley, forest ranger, Rapides Parish (winner of the first annual Charles E. Dunbar Civil Service Award, 1959, for outstanding service to field of forestry.



7. Affidavit—Luther Delaney, uncle and neighbor, lifelong citizen of Rapides Parish.
8. Statement—James H. Kitchens, Jr., executive director, Louisiana Forestry Association (one of the most highly respected in the Nation).
9. Statement—W. M. Palmer, assistant State forester, Louisiana Forestry Commission.
10. Statement—Erin R. Gunter, chief, forest management, Louisiana Forestry Commission.
11. Statement—H. D. Story, Jr., assistant chief, forest management, Louisiana Forestry Commission.
12. Statement—W. C. Valentine, chief, forest protection, Louisiana Forestry Commission.
13. Statement—Lonnie B. White, district forester, Louisiana Forestry Commission, Monroe, La.
14. Statement—Hermon B. Williams, Sr., citizen, East Baton Rouge Parish, La.
15. Statement—Conrad A. St. Romain, citizen, East Baton Rouge Parish, La.; chief, forest accountant, Louisiana Forestry Commission.
16. Statement—Howell C. Cobb, citizen, Rapides Parish, La., president, American Pine Seed Co., and former forest superintendent, Louisiana Forestry Commission, Woodworth, Rapides Parish, La.
17. Statement—Luther Allen, citizen, Rapides Parish, La.
18. Statement—John H. Greene, district forester, Louisiana Forestry Commission, Olla, La.
19. Statement—Edward C. Cordon, citizen, Rapides Parish, La.
20. Statement—Charles H. Jeter, former chairman, Louisiana Forestry Commission, who has been one of the top forestry officials in the Nation for years.
21. Statement—W. H. Kilpatrick, chairman, Louisiana Forestry Commission.
22. Letter—James E. Mixon, State forester (director of the Louisiana Forestry Commission and one of the most outstanding and highly recognized professional foresters in the Nation).
23. Letter—Cameron C. Minard, district attorney, 28th judicial district, Louisiana, who has personal knowledge of case.
24. List—Lands acquired by War Department and returned after protest by group action of former owners. Land returned for same price as War Department paid for it and in some cases less where damages done while in their ownership.
25. Letter—J. H. Michaelis, major general, Chief, Legislative Liaison, Washington, D.C.
26. Letter—A. M. Jacoby, colonel, Corps of Engineers, Little Rock, Ark.
27. Letter—General Services Administration, 1951, one of many letters written on this case.
28. Official map—Showing Delaney land, private land adjoining, and Kisatchie National Forest ownership.
29. Official map—Showing Breezy Hill artillery range area where land returned to former owners after protest as a group—relationship to Kisatchie National Forest ownership shown.

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ALEXANDRIA NATIONAL FARM LOAN ASSOCIATION,  
*Alexandria, La., May 15, 1959.*

*To Whom It May Concern:*

I, John W. Richman, do hereby certify that I was the project manager of the Rapides Parish office under the Federal Land Bank of New Orleans which handled the disposal of the surplus land acquired by the War Department of the United States for use in connection with Camp Claiborne, La.

The purpose of this statement is to substantiate the affidavit of Mrs. Sophronia Smiley Delaney wherein she states that she contacted me immediately upon receiving the notice of sale of surplus property which had been mailed listing former owners as having fourth priority. I told Mrs. Delaney, as stated in her affidavit, that the priorities as set up by the surplus property law gave the Federal Government first priority, State and local governments second priority, and former owners fourth priority and that if the Federal and the State and local governments did not exercise the priorities granted them, she as former owner could then exercise her rights to repurchase her property.

The Forest Service, U.S. Department of Agriculture, did exercise its first priority immediately and purchased the Delaney property from the War Department through the Federal land bank under applicable provisions.

The above statement is true and correct to the best of my knowledge and belief.

JOHN W. RICHMAN.

Witness:

ELOISE KENNEDY.

MAY 16, 1959.

*To Whom It May Concern:*

I, Charles J. Greene, Jr., a resident of Colfax, La., do hereby affirm that I served on the land appraisal jury, Alexandria, Rapides Parish, La., which approved appraisal values of the land acquired by the War Department, United States of America, for use during the World War II national emergency.

In all cases the Government authorities and the presiding judge gave us, the jury, to understand that the landowners from whom the land was being acquired would be given first priority to repurchase their land after the need for national defense purposes was completed. Further, we were given to understand and landowners were told that the land would be reconveyed to the former owners after the emergency in all cases at the same price which the War Department paid for the property, except in cases where damages done the land while in War Department ownership, which land would be sold back to the former owners for their original acquisition cost to the War Department less the damages done the property by the War Department.

For the above reasons I most sincerely urge that the Congress of the United States take appropriate and favorable action to correct the injustice done Mrs. Sophrinia Smiley Delaney and her children, wherein the U.S. Department of Agriculture holds their 160 acres of land, acquired by the War Department for use during World War II emergency.

Favorable action on Senate bill 6 and H.R. 2953 will correct a long overdue unfortunate situation of injustice done the Delaney family in connection with the Camp Claiborne training area purchase of 1941.

CHARLES J. GREENE, Jr.,  
Grant Parish, Colfax, La.

Witness:

C. D. Peters, Jr.

Witness:

E. P. Condon.

AFFIDAVIT

I, R. Mason Smith, age 64, a lifelong citizen of Woodworth, Rapides Parish, La., do hereby swear and/or affirm that I have a thorough knowledge of the manner of the War Department land acquisition as carried out by the Government in connection with the establishment of Camp Claiborne, La., a World War II military installation.

I know that the War Department officials procuring the land and the attorney of Alexandria, La., now deceased, who was assisting in the matter, Mr. James R. Eubank, Rapides Parish, made verbal statements to the landowners that they would be given first option to regain possession of their land after no longer needed by the War Department in connection with the national emergency at the same price paid by the Government for the land. This land acquisition for Camp Claiborne, La., was carried out during the period 1940 and 1941 beginning in the late summer of 1940.

After the end of the World War II emergency when Camp Claiborne was no longer needed by the War Department the Government failed to keep the promise to allow the former owners to regain possession of their lands and instead of the former owners being given first priority the Federal agency, Department of Agriculture, was given first priority and the former owners were given fourth priority. The U.S. department exercised its first priority and now holds the land.



I know that extreme injustice was done in this matter wherein the promises of the Government land procurement officials were not kept. I do not understand why the law permitted such an unjust situation to happen. I urge passage of Senate bill 6 and H. R. 2953.

R. MASON SMITH,  
*Woodworth, La., Rapides Parish.*

Witness: Charlie R. Monk.

Witness: R. D. Smith.

Subscribed to before me this 16th day of May 1959.

[SEAL]

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AFFIDAVIT

I, Alvin Smiley, forest ranger, Rapides Parish, La., do hereby swear and/or affirm that the following information contained herein is true and correct to the best of my knowledge and belief:

As forest ranger of Rapides Parish, La., I am the supervisor of all forestry activities as related to privately owned lands within the boundaries of Rapides Parish, La., and am responsible for all forest fire detection and suppression activities on not only all privately owned timberlands but also cooperatively on Kisatchie National Forest lands located within the boundaries of Rapides Parish, La.

I have been employed in my position for over 25 years and am thoroughly familiar with the forestry and related activities throughout this parish and surrounding area.

I am familiar with the War Department procurement of 160 acres of land, a homestead, legally described as south half of northeast quarter and north half of southeast quarter, section 8, Township 2 north, range 2 west, Louisiana meridian, Rapides Parish, La., in connection with the establishment of Camp Claiborne, La., a World War II military installation. I have personal knowledge of the fact that this land was acquired from Mrs. Sophronia Delaney and sons, Charles, Jr., Jack, and Jimmie Scott, and that this land was acquired by the War Department only after threats of condemnation proceedings and that at the time she was a widow with three minor children, having lost her husband July 12, 1940. This property was a family homestead and contains the family cemetery. I also know that Mrs. Delaney tried in vain to reacquire this property when advised that it was surplus to the War Department in 1947 only to find that former owners were fourth on the list of priority holders eligible to repurchase the land. Mrs. Delaney and her sons have exerted continuous efforts to reacquire this property since the time it was declared surplus to the War Department in 1947.

In the performance of my fire protection responsibilities, I have occasion to periodically visit the area of Kisatchie National Forest where this land is located as other privately owned timberland adjoins this tract. I am thoroughly aware of the fact that the U.S. Forest Service, Department of Agriculture has planted no trees on this property or otherwise added any improvements to the property, that approximately 60 acres of the tract is now and has needed application of forest management practices wherein the cull hardwood thereon should be removed and the area planted to pine seedlings as the area is a pine growing site—that the Forest Service, Department of Agriculture, has benefitted financially from two timber harvests off this property since its acquisition in the fall of 1947 thereby being well compensated for the little over 11 years which it has held the property. The United States Forest Service personnel tore down the old house on this place soon after it acquired the property.

I am aware of the extreme injustice done the Delaney family in this matter and am prepared to do everything possible in seeing that this situation is corrected. In addition I strongly urge that the law wherein injustices of this nature are permitted to occur is revised at the earliest possible time so that similar situations will not develop in the future.

ALVIN SMILEY,  
*Forest Ranger, Louisiana Forestry Commission, Rapides Parish, La.*

Sworn to and subscribed before me this 14th day of May 1959.

[SEAL]

\_\_\_\_\_  
*Notary Public.*

Mr. DELANEY. Mr. Chairman, the only other thing that I would like to say is that I am sorry I have taken up so much of your valuable time.

I will present for the record copies of statements from all of the Forestry officials in Louisiana and the State of Louisiana, namely, the chairman of the Louisiana Forestry Commission, the former chairman and one of the outstanding forestry leaders in the Nation, Mr. Charles H. Jeter, the State forester of Louisiana, the assistant State forester of Louisiana, the chief of forest management of Louisiana. And I could name many, many others whose statements and affidavits I have, people who know the details in this case and who have urged that the Congress of the United States give favorable action to correct the injustice done my family.

Mr. JONES. Before you leave, I would like to ask about that one tract of land adjoining the 160 acres which is shown to be privately owned. Was that purchased by the Government at the same time that your tract of land was purchased?

Mr. DELANEY. I am glad you asked me that because I failed to bring that point out. Those 80 acres, which adjoined the southwest corner of these 160 acres, the homestead, was owned by some Negroes—a Negro family.

What happened in that case was that there were so many heirs involved that the War Department could never prove the title to that property to acquire it for the war emergency. The Negro heirs left the property. After the war emergency was over, the title was finally proved out by a private owner which is now in private ownership.

Mr. McSWEEN. I would just like to mention one thing at that point. It is rather a coincidence. One of the first cases I had when I started practicing law was in connection with representing some of those heirs to that piece of property.

The man who owns this property now is Roy O. Martin. He is a friend of mine.

What I am trying to tell you is that I helped that man to buy that property twice, because I represented those heirs. After he first bought it from the wrong people, he bought it from the proper owners. That property is now still in private hands.

Mr. JONES. How about other tracts within that division that are indicated as being privately owned—were any of those acquired from the War Department at that time?

Mr. DELANEY. Let me point this out, those white areas that you see there on the map, within that same area are some in private ownership. State lands are not shown in green. Only the green areas that indicate the Kisatchie National Forest lands. There are one or two tracts of public domain left in that area. That is the white. There was no private ownership of land by individuals in that area.

Mr. JONES. What I am trying to get at is this: Are there any tracts of land within this Evangeline division of this Kisatchie National Forest that were purchased by the War Department and which have subsequently been returned to, or repurchased by, the former owners?

Mr. DELANEY. No, sir, there are not tracts that were returned to the former owners; that is, inside of the Kisatchie National Forest.

There is one thing that was very unfortunate. I felt, on the part of the Department of Agriculture in rendering this adverse report, because I know that their adverse report will carry considerable weight



in the eyes of everyone. That is this fact: In the next to the last paragraph in that report which points out that this tract lies within an area of the Kisatchie National Forest. Let me read it:

This tract is located well within a large acreage of almost solid national forest ownership in the Kisatchie National Forest. It is within an area of about 15,000 acres within the forest administered as the Evangeline Wildlife Management Area. Except for 200 acres owned by the State of Louisiana, all of this wildlife management area is owned by the United States.

Gentlemen, that is a false statement. This private land adjoining the southwest corner is in private ownership and I do not understand why the U.S. Department of Agriculture would desire to make such a statement in an adverse report that was not accurate and having a possible bearing on this case.

Mr. BASS. What about ingress and egress to the property?

Mr. DELANEY. I might point this out: The War Department officials told my mother at that time that, as a further way they might show good faith, you might state in the transaction, she could reserve all the oil and mineral rights of this property, and that these rights were good forever. And the statement went on to read that these rights were not to be exploited or developed without written permission of the War Department. And as I have learned since, that statement was accurate and those rights are good forever. We have all the oil and mineral rights on this property at this time.

The road that you see through that property is what you referred to?

Mr. BASS. Yes, sir.

Mr. DELANEY. There is an access road to the property.

Mr. BASS. Is it a public road?

Mr. DELANEY. We had a road into the property which we built ourselves. Since that time the Forest Service has done some work on the road and made it a little better road than it was at that time.

Mr. BASS. It is a public road?

Mr. DELANEY. Yes, sir.

Mr. BASS. And it goes from other access into that particular part?

Mr. DELANEY. That is correct.

Mr. BASS. When did your mother, as of course your guardian, make the first attempt to repurchase the property?

Mr. DELANEY. I am glad you asked that, sir. I have an affidavit here from the man who handled the disposal of this land. He is living at this time in Alexandria, La., still working for the Federal—

Mr. McSWEEN. He is secretary of the Alexandria Land Bank.

Mr. DELANEY. That is correct. Here is what he says:

I, John Hickman, do hereby certify that I was the project manager of the Rapides Parish office of the Federal Land Bank of New Orleans which handled the disposal of the surplus land acquired by the War Department of the United States for use in connection with Camp Claiborne, La. The purpose of this statement is to substantiate the affidavit of Mrs. Sophronia Smiley Delaney wherein she states that she contacted me immediately upon receiving a notice of sale of surplus property which had been mailed listing former owners as having fourth priority.

I told Mrs. Delaney, as stated in her affidavit, that the priorities as set up by the surplus property law gave the Federal Government first priority, State and local governments second and third priorities, and former owners fourth, and if the Federal and State and local governments did not exercise the priorities granted them, she, as a former owner, could then exercise her rights to repurchase her property.

The Forest Service, U.S. Department of Agriculture, did exercise its first priority immediately and purchased the land, the Delaney property, from the

War Department, through the Federal land bank under applicable provisions.

The above statement is true and correct to the best of my knowledge and belief.

JOHN HICKMAN.

Mr. Hickman is still there in Alexandria.

Mr. BASS. That is all I have.

Mr. JONES. Any questions, Mr. Jennings?

Mr. JENNINGS. No questions.

Mr. JONES. Any questions, Dr. Dixon?

Mr. DIXON. No questions.

Mr. DELANEY. Mr. Chairman, I am sorry to have taken up so much of your time. I would like to file for the record of this committee a copy of the affidavits I have referred to and listed on my statement for the record, and for the consideration of anyone who may have occasion to refer to them.

Mr. JONES. Let me ask this now: You are going to present that same record when you appear before the Senate committee?

Mr. DELANEY. Yes, sir.

Mr. JONES. I have been influenced by so much duplication of printing. If it will be printed over there, I do not see any necessity of printing it in these hearings here. I would like to have you file that with the committee and then we will see that it is printed in one or the other record. The committee will be glad to receive the affidavits.

(The affidavits referred to will be found in the files of the committee.)

(The following letters have been submitted to the subcommittee:)

U.S. SENATE,  
COMMITTEE ON AGRICULTURE AND FORESTRY,  
May 19, 1959.

HON. HAROLD COOLEY,  
*Chairman, House Agriculture Committee,*  
*House of Representatives, Washington, D.C.*

DEAR HAROLD: I understand that your committee has scheduled hearings on H.R. 2953, a bill for the conveyance of certain real property of the United States to Sophronia Smiley Delaney and her sons, for 10 a.m. tomorrow, May 20.

In this connection I have received a telegram from Mr. W. H. Kilpatrick, chairman of the Louisiana Forestry Commission, Jonesboro, La., from which I quote as follows:

"I am personally acquainted with the contents of these measures which provides for the reconveyance of 160 acres to the rightful ownership of the Delaney family said property having been acquired from Mrs. Sophronia Smiley Delaney and her minor children by the War Department in 1941 because of national emergency and now held by the U.S. Department of Agriculture. Implications at the time of the purchase by the War Department veils the transaction in what appears to be fraud and misrepresentation. The U.S. Government should correct immediately the lack of good faith shown thus far. A failure to do so would represent a gross miscarriage of justice in my opinion. The Government has both moral and legal obligation to this Louisiana family. I am therefore asking that you place your wholehearted support behind this corrective legislation this week."

I would appreciate it if you would make Mr. Kilpatrick's comments a part of the records of the hearings on this legislation.

With kindest personal regards and best wishes, I am

Sincerely yours,

ALLEN J. ELLENBER, *U.S. Senator.*



ROY O. MARTIN LUMBER CO., INC.,  
*Alexandria, La., May 19, 1959.*

Senator ALLEN J. ELLENDER,  
*U.S. Senate, Washington, D.C.*

DEAR SENATOR ELLENDER: I have been contacted by Charlie Delaney, of Baton Rouge, asking for the support of the Senate bill No. 6 to allow him and his family to acquire their property from the Government which was seized back during the war for a gunnery range. I feel that it is tragic that Charlie and his family have not been able to get their land back when the Government was finished using it, although, they had been promised that they would get first chance at getting the land back.

I want to add my voice to the cry of protests against the attitude the Government has taken regarding this land use and I wish to commend your work in helping get this Senate bill No. 6 passed.

Yours truly,

NORMAN K. MARTIN.

Mr. JONES. Have you completed your statement now?

Mr. DELANEY. Yes, sir, Mr. Chairman, I have completed my statement.

I want to say this is my first time in Washington, D.C., and, certainly, the first time before the Congress of the United States. I certainly appreciate the courtesy shown me here this morning.

Mr. JONES. We are happy to have had you here.

We have a representative of the Forestry Service here, Mr. Florance.

Would you care to comment?

I know that the Department has filed an adverse report on the bill, but I think that we would like to question you, if you will be available.

**STATEMENT OF REYNOLDS G. FLORANCE, DIRECTOR, DIVISION OF  
LEGISLATIVE REPORTING AND LIAISON; ACCOMPANIED BY PAUL  
A. SWARTHOUT, DIRECTOR, DIVISION OF LAND ADJUSTMENTS,  
U.S. FOREST SERVICE**

Mr. FLORANCE. Mr. Chairman and gentlemen of the committee, we filed with the committee this morning the department's report on this bill recommending that it not be enacted.

I do not think there is any need that I read the report at this time unless it is your wish that I do so. It is not a particularly long report.

Mr. JONES. Let us read it and we will then have the adverse report in the record and then we can comment upon it.

Mr. FLORANCE. The report is dated May 20 addressed to Chairman Cooley:

This is in reply to your request of May 12, 1959, for a report on H.R. 2953, a bill to provide for the conveyance of certain real property of the United States to Mrs. Sophronia Smiley Delaney and her sons.

This department recommends that the bill not be enacted.

H.R. 2953 would direct the Secretary of Agriculture to convey all right, title and interest of the United States in and to the  $S\frac{1}{2}NE\frac{1}{4}$   $N\frac{1}{2}SE\frac{1}{4}$  sec. 8, T. 2 N, R. 2 W, Louisiana meridian, containing 160 acres, more or less, to Mrs. Sophronia Smiley Delaney and her sons, Charles Franklin Delaney, Jr., Jimmie Scott Delaney, and Jack Richard Delaney, upon the payment by them of the sum of \$2,500.

The land described in the bill was purchased from the Delaney family in 1941 for consideration of \$2,500. It was acquired by the United States for use in connection with Camp Claiborne. Copies supplied to us of correspondence from the Department of the Army indicate that the records of that Department contained no evidence of any agreement or promise to permit the former owners to repurchase the lands after the war. The information available to this Department indicates that the purchase price paid by the United States for the land represented its full value. In 1946 the Army declared this and other tracts in the area surplus and in 1947 they were transferred to this Department at the estimated fair market value for administration as a part of the Kisatchie National Forest pursuant to the Weeks Act of March 1, 1911 (36 Stat. 961). Since that time the value of this tract has increased and in 1957 it was estimated to be worth approximately \$15,000.

This tract is located well within a large acreage of almost solid national forest ownership in the Kisatchie National Forest. It is within an area of about 15,000 acres within the forest administered as the Evangeline Wildlife Management Area. Except for 200 acres owned by the State of Louisiana, all of this wildlife management area is owned by the United States. The transfer of this tract to private ownership would be detrimental to the most efficient administration of the area. Such transfer would unnecessarily complicate and increase the cost of the administration of the area for multiple public benefits.

The Bureau of the Budget advises that there is no objection to the submission of this report.

Sincerely yours,

E. L. PETERSON, *Assistant Secretary.*

The question has been asked with reference to the accuracy of the statement in the last paragraph as to the solidity of the Government's ownership in this area. I have here a map which I might bring up and show you.

Mr. JONES. Are we talking about the same map?

Mr. FLORANCE. This area right in here [indicating]. These lines here [indicating]. This is the tract in question, located there in section 8 of that township. It would be this section right here, this quarter section [indicating].

Apparently that is the area that has been questioned as to its present ownership.

The report that I have here from the regional forester, who submitted this map, shows that these 80 acres, this 80-acre tract in question, to the southwest of the old Delaney place, is in State ownership along with these other sections colored in blue.

Mr. JONES. That is where we have a discrepancy in the record. The map that Mr. McSween showed us said that the private tract was owned by Royal Martin.

Mr. McSWEEN. I can answer that statement. When I was clearing up that title, I found that taxes for some intervening years had not been paid.

Mr. JONES. You contend that this land now is owned by Royal Martin?

Mr. McSWEEN. I believe there is no question about it. The State of Louisiana has no interest in the property.

Mr. JONES. I think that is one thing that we do want to clear up. I think the Department would want to clear that and to check on that.

Mr. FLORANCE. We will be happy to check into that. Our report is based on the information that came to us.

Mr. McSWEEN. It was reasonable for them to assume that it was within the State.



Mr. JONES. Before you go back to your seat, let me ask you about these other white areas here. Are those lands that are owned by the State?

Mr. FLORANCE. So far as our information is concerned, they are in private ownership.

Mr. JONES. Within that Evangeline division?

Mr. FLORANCE. That is correct.

Mr. JONES. Do you know whether or not those tracts were acquired by the Government during the war or not?

Mr. FLORANCE. No, sir; I have no information as to that.

Mr. JONES. You have no information on that?

Mr. FLORANCE. No, sir. I might add that along with the former Delaney tract, these other tracts in red were, also, lands that the Army had acquired in this area and which were transferred over to the Forest Service after they were declared surplus by the Army. And it was that transfer that, in large measure, made this a solid block of Federal ownership.

Mr. JONES. Do you know anything about the policy of the Department at the time that the War Department acquired the lands—the policy with respect to repurchase?

Mr. FLORANCE. The Department of Agriculture, of course, did not acquire these lands. It was the Army that acquired them.

Mr. JONES. Yes, I understand.

Mr. FLORANCE. So far as any policy of having the lands go back to the former owners, I do not know that the Department of Agriculture had any policy on that or would really have had any occasion to establish a policy on it. I think that in general, as to areas outside of the national forest boundaries, the Department did not exercise its priority rights for national forest purposes. Those generally were exercised only with respect to areas within national forest boundaries.

Mr. JONES. This land that we are speaking of now is forest land, is it not, so far as you know?

Mr. FLORANCE. Yes, sir.

Mr. JONES. You do not know the nature of the land or the improvements that have been made, or anything like that—you are not acquainted with that?

Mr. FLORANCE. No, sir.

Mr. JONES. Of course, according to the report here, the transfer of the land would be detrimental to the most efficient administration of the area. That is the basis on which the Department is rendering this adverse report?

Mr. FLORANCE. That is correct. And I might say that the Department has been concerned with the question of the precedence that this would set because we can understand quite sympathetically the desire of former owners in many instances to reacquire the lands that they had and that were either purchased or taken by the Government for military needs.

The Government has and is still using many tracts of that category.

Mr. JONES. In other words, you are concerned, not only with this particular tract, but the precedent that it might establish in the fact that others in a like situation might come in and avail themselves of the same relief that these people are seeking?

Mr. FLORANCE. Yes, sir.

Mr. JONES. Do you have any questions, Mr. Bass?

Mr. BASS. In your report you state that the fair value of this land in 1941 was, apparently, \$2,500, the purchase price, and the present value of the property in 1959 is \$15,000. That is six times more than the fair value price according to your estimate in 1941. Is that a general thing that property in this area has gone up six times in value, or has the Department enhanced its value with certain things that you have done there?

Mr. FLORANCE. Possibly Mr. Swarthout can answer that better than I can. He is in that particular line of work.

Mr. SWARTHOUT. Like Mr. Florance, I am not familiar with this tract, but the mere fact is that in Louisiana you place land under management and protection from fire and permit tree growth to grow naturally. And under managed conditions, it has rapidly enhanced the value of those lands, as the Congressman from Louisiana can tell you. Lands have become increasingly valuable.

Mr. JENNINGS. Is the Forest Service cutting the timber off this land, or has it reaped any other benefits of a monetary nature from it?

Mr. SWARTHOUT. I cannot answer that, but I do not think we have. I am not sure of that.

Mr. JENNINGS. If they have, would that not detract from the statement that you just made, the fact that they had the timber under proper management and that that had increased the value; I mean, if they had cut some timber off the land, would that not detract from the value of the land?

Mr. SWARTHOUT. Clear timber cutting would reduce the capital value of the land, but this would not be true as to thinnings or light selective cutting.

Mr. DELANEY. If you do not mind, sir, I would like to make a comment there. As a professional forester and, also, in the affidavits that will be made a part of the record, the forest ranger of that parish has been there for 30 years and would substantiate the fact that poles and piling timber has been severed twice in the 11 years it has been held by the national forest ownership. Two 5-year cutting cycles are covered. That is from this particular tract.

Mr. JENNINGS. Have any tree plantings or conservation practices been put into effect on this particular tract?

Mr. DELANEY. There have been no trees planted—no trees planted on the area. The only overall management that the administration of the U.S. Forest Service has given this tract as with other tracts is general fire protection which is the joint responsibility of the forestry commission on private lands within these Forest Service boundaries. And that to my knowledge there is about 70 acres involved that are in need of timber stand improvement practices. And I realize that the U.S. Forest Service has a large acreage and they cannot get around to every acre for management processes, but some 65 acres, at least, should have cull hardwood removal and plant seedlings.

Mr. BASS. During your father's ownership did he put in seedlings and plant trees on the property?

Mr. DELANEY. He did everything in his lifetime to further the forests.

Mr. BASS. Did he plant seedlings—did he put out trees and so forth on the property?



Mr. DELANEY. There was none planted. It is just a natural reproduction which is in effect the same measure.

Mr. BASS. In your experience in the Forest Service have you had other cases similar to this arise?

Mr. FLORANCE. I do not recall any specific case that I can say is similar to this. We have had some other cases in which questions have been raised at a later date as to what the promises were that were made at the time the land had been acquired.

Mr. BASS. Was your Department operating this management service in the area prior to the time that it was acquired by the Department of Defense?

Mr. FLORANCE. Yes, sir. I cannot tell you exactly how much land the Forest Service was administering there, but the Kisatchie National Forest was established along in the early thirties.

Mr. BASS. Did they own and manage the property adjacent to this property prior to the time that the said property was acquired by the Department of Defense?

Mr. FLORANCE. I cannot tell you whether they owned and were administering the specific tract adjacent to it.

Mr. BASS. Do you know, Mr. Delaney?

Mr. DELANEY. Sir, the tract in the southwest corner, you pointed out and discussed there, was in private ownership.

Mr. BASS. But the rest of it around, that adjoined it; what about that?

Mr. DELANEY. It was in Federal ownership.

Mr. BASS. And was being administered and managed by the forestry department prior to the acquisition of this land by the Department of Defense?

Mr. DELANEY. Yes, sir.

Mr. BASS. And the Department of Agriculture had previously made an attempt to purchase this property from private ownership; had they not?

Mr. FLORANCE. That is quite possible. I have no specific information on that.

Mr. BASS. Would the records of the Department show that this management area was being efficiently managed and run for the benefit of the Forest Service prior to the acquisition of this land by the Defense Department?

Mr. FLORANCE. Yes, sir; I think so. As I showed you on a little map awhile ago, the area that was in green there at the time the Forest Service took this area over in 1947 was all a part of the national forest and that was being administered. We were administering it.

Mr. BASS. The Delaney property was not a part of it; it was not being administered by them?

Mr. FLORANCE. Not at that time. The Delaney property, along with the other property that was colored red on the map was taken over by the Forest Service from the War Assets Administration as surplus property.

Mr. BASS. Prior to the time that you acquired the property, this management service was being efficiently operated without the Department having title to this particular tract of land; was it not?

Mr. FLORANCE. Well, we think it was being managed as efficiently as it could be. We think it is better and more efficiently managed now in this solid ownership. As you can well understand, where



you have intermingled ownerships it makes boundary problems and your other problems of administration greater. The more solid your ownership, the easier.

Mr. BASS. Name one.

Mr. FLORANCE. Well, it is simply the fact that here you are administering land—if you can operate a timber sale as a solid block it is far more efficiently operated than it is if you have to operate on one forty and then skip over.

Mr. BASS. Why?

Mr. FLORANCE. It simplifies the task of logging.

Mr. BASS. I have bought and sold logging lands. And I have gotten from one farmer logging land here, and I could not buy from another one there. I operated within this area. And from the standpoint of efficient sale of timber I could not see why if I had the whole United States that I could sell it better than I could just by owning the State of Colorado.

Mr. SWARTHOUT. One of the problems in making timber sales is to be sure that you market timber on Government land.

Mr. JONES. That is right.

Mr. SWARTHOUT. We must be careful about the land lines.

Mr. BASS. I realize that.

Mr. SWARTHOUT. Every time you can eliminate an interior ownership we simplify that problem.

Mr. BASS. You are talking like Mr. Jennings said—you sound like an old fellow down home. He did not want to own much property—just all of that that adjoined him. I cannot see that the problem of boundaries and areas and land marking would make it so much simpler to sell off this timber. It does not seem to me that this would constitute a real problem, having had some experience working with my father who used to buy and sell timberland. I know that we have areas in the State of Tennessee—vast areas of timberland, culled timberland, and so forth—where there are no fences at all. I happened to be out on the range not long ago where an uncle of mine owns 2,300 acres—160 acres here and 250 acres over here—and he sold some timber from it. It presented no particular problem. Some people owned timberland right in the middle of it. He owned all of it around there.

You can find those areas. An engineer surveyor can find them without too much trouble.

I am trying to find out exactly why you want the property other than just having the property and being able to stay, "It is in there." Why does it make an efficient operation of the entire whole?

Mr. FLORANCE. The more solid your ownership—

Mr. BASS. It is more desirable; yes.

Mr. FLORANCE. It is our feeling that your task of management is simplified in the whole process.

Mr. BASS. We have some very good managers, haven't we?

Mr. FLORANCE. We think so.

Mr. BASS. They are smart boys?

Mr. FLORANCE. Yes.

Mr. BASS. And well paid. They do a very good job; is that not right? Really, they can understand all of these areas. And when you get over on this boundary, over on the other side, they do not have any fences over there, do they?

Mr. FLORANCE. I cannot say what specific fences there are.

Mr. BASS. What I am trying to get at is, just why, other than just saying, "We have to have this little piece of property in here, we have it and we want to have it," why there would be anything that would jeopardize efficient management of the entire area.

Mr. SWARTHOUT. There is one other aspect in the report. This being the wildlife management area, where special measures are taken for the preservation and protection and development of wildlife resources, it is, also, a very important thing that we not have intermingled private ownership in that area.

Mr. BASS. That I can understand a little bit. That is a fair reason when you get into the wildlife management phase of it. This might be true that you would not want somebody in the middle of the wildlife area shooting ducks or something that is protected all the way around. I can understand that. But this reason does not seem very feasible to me. I will not belabor you with questions any further, except to state that I could see no particular reason why the sale of this property would contribute to the inefficient operation of it for management purposes.

Mr. JONES. Do you have any questions, Mr. Jennings?

Mr. JENNINGS. Just one observation. You said that if this were passed, this bill, that it might pose similar problems with others who had similar cases. Well now, if this is a legitimate case and others have legitimate cases, then even if it does pose a problem that would not make it wrong, would it?

Mr. FLORANCE. No, I did not mean to suggest that.

Mr. JENNINGS. I just wanted to point that out, that two wrongs would not make one right. If this were wrong, and someone else had been done a wrong, perhaps it should be rectified, too.

Mr. FLORANCE. That is correct.

Mr. JENNINGS. That is all.

Mr. McSWEEN. Would it be all right for me to ask a question?

Mr. JONES. Yes.

Mr. McSWEEN. I come from a district that has a great deal of property owned by the Forest Service. I have the highest regard for their operation.

Notwithstanding—because you have used this reason—your objection to this bill, the fact that this might bring up additional similar problems, the Congress in its wisdom gave the Forest Service pretty high priority and authority to acquire land. Congress gave you the right to acquire a great deal of it. And you did acquire surplus, many thousands of acres of land subsequent to World War II that were originally acquired by the Government for the purpose of doing war business. You have operated that and managed that property.

If Congress would now in its wisdom decide that the interests of these former private owners is paramount to the interest of the Nation, do you mean to tell me that you would come in here and say—because we are human, too, and we are exercising the prerogative of human nature—we do not want to give up any of our property—is that not just about what your position is?

Mr. FLORANCE. No, sir; I do not think it is quite that. We come here as the Federal administrators of this property to give you the best judgment and the best recommendation we can. Certainly, if the Congress feels as has been suggested here, that an injustice has been done, it is a matter that Congress should deal with.

We are simply saying that insofar as our investigation has been able to turn up there has been no evidence of any promises made by the Army. We have checked with the Department of the Army and that is the report that we have from them. So that we are simply giving to you the best information and recommendation we can.

We, certainly, are not questioning the wisdom of the Congress. We would not do that.

Mr. JONES. Mr. Jennings has a question.

Mr. JENNINGS. I believe you stated that the forest department has no right of eminent domain.

Mr. FLORANCE. It may exercise that right.

Mr. JENNINGS. Have you—and if you do not know—will you supply for the record—made an attempt to secure properties adjoining the former Delaney tract now owned by Roy O. Martin?

Mr. JONES. That is the one that he said was owned by the State of Louisiana.

Mr. FLORANCE. Just to be sure that we get it straight.

Mr. JENNINGS. The southwest tract there shown in white. According to the reports supplied by your district engineer it is purported to be State-owned property.

Mr. FLORANCE. That is correct.

Mr. JENNINGS. And is alleged to be privately owned property by Mr. Delaney, having been owned or is now owned by Roy O. Martin. Would you, also, for the record in clarifying the exact ownership ascertain whether or not you have made any effort to purchase or condemn that particular tract of land?

Mr. FLORANCE. I do not know whether you have that specific information now or not.

Mr. SWARTHOUT. I think that we can state categorically we never attempt to condemn. That was never intended, that is, to acquire property by condemnation when the owners would not voluntarily sell. So far as making an offer of purchase, that might have been done, and no record made of it, because the ranger in the early days, in the thirties, contacted almost everyone in his district to see if they would want to sell their land.

Mr. JENNINGS. I understand that.

Mr. SWARTHOUT. I think we can find cases of that kind.

Mr. JENNINGS. If in fact that tract, supposed to be owned by Roy O. Martin, is private ownership, would the Delaney tract then present any greater problem than this particular tract of land in your overall management of this division?

Mr. FLORANCE. Offhand, I would say "No." I do not see why it should.

Mr. BASS. Was it your opinion when you were a young boy, like I was, when World War II started, that this property was taken from private owners—was it your opinion that if the Federal Government, the Department of Defense got finished with it, that the former owners would be allowed to purchase it—was not that your general opinion?

Mr. FLORANCE. Mr. Bass, I am not sure that I am really qualified to answer that question because I did not undertake any negotiations on behalf of the Army.



Mr. BASS. Being a curbstome lawyer, and talking with people, my memory seems to instruct my present thinking to believe that people would be allowed to repurchase that property when the Government got through it, if they so desired, if they took it in. Was not that your curbstome lawyer opinion?

Mr. JONES. I think that was the opinion that many people had. As I think Mr. Delaney has stated—he said there was an understanding that they would have the right to recover. He has that in some of his affidavits that he filed here.

I noted a minute ago that Congressman Overton Brooks was here. I am sorry that he had to leave.

Mr. BOOKTER. I am from his office. He has a bill coming up on the floor at noon. He asked me to ask the committee to show that he was here, and in behalf of his bill.

Mr. JONES. I hope that you will tell him that I am sorry that we could not call on him at this time. He had spoken to me of his interest in this bill, as have other members of the Louisiana delegation. We are glad to show their interest. We would, also, like to give any of the other members permission to extend their remarks or statements in the record, if they would care to do so.

Mr. BOOKTER. I will say that to him, Mr. Chairman.

Mr. JONES. That courtesy will be extended to Congressman Brooks and Congressman Morrison.

Mr. MCSWEEN. We thank you very much, Mr. Chairman.

Mr. JONES. Thank you.

I would like to call to the attention of the committee a letter that I have from Congressman Frank E. Smith, a Member of Congress from the Third District of Mississippi in reference to his bill, H.R. 6591. Mr. Smith was here and had to go to another meeting. I would like to make his letter and a resolution signed by the members of the board of trustees of the Leland Consolidated School District of Leland, Miss., a part of the record at this point, which has reference to H.R. 6591.

(The letter of Hon. Frank E. Smith, together with the attached resolution, is as follows:)

HOUSE OF REPRESENTATIVES,  
Washington, D.C., May 20, 1959.

HON. PAUL C. JONES,  
*Member of Congress, Committee on Agriculture, U.S. House of Representatives,*  
*Washington, D.C.*

DEAR PAUL: My bill, H.R. 6591, is pending before your committee. It provides for the conveyance of certain real property owned by the Federal Government and part of the cotton field station to the Leland, Miss., Consolidated School District.

I am enclosing a copy of the resolution of the board of trustees of the school district which describes the property involved and makes clear the reasons for this request.

I assume that the formal report by the Department of Agriculture on my bill has not yet been submitted. The Department, through the Director of Crops Research, has already informed the school district that it has no objection to the transfer of the land to the school district, and I assume from this that the Department's formal report will be favorable.

Expansion of the facilities of the school district is a matter of urgency, as it is in many areas, and I sincerely hope your committee will act favorably on H.R. 6591 as soon as possible.

Cordially,

FRANK E. SMITH, *Member of Congress.*

## RESOLUTION

Whereas land is needed for right-of-way to Lincoln Attendance Center of Leland Consolidated School District; and

Whereas land is needed for additional playground and future buildings to Lincoln Attendance Center of Leland Consolidated School District; and

Whereas on June 9, 1958, Leland Consolidated School District was advised by the Mississippi State Educational Finance Commission as follows: "It is the opinion of the State educational finance commission that to justify the construction of any additional facilities or buildings at this attendance center, it will be necessary that the school district acquire additional land for the school campus"; and

Whereas there are now enrolled 1,903 pupils at Lincoln Attendance Center and the present school property contains 14 acres including buildings; and

Whereas the land adjacent to the Leland Consolidated School District property on the east is owned by the United States of America, known as the Lucy Armstrong Tract and a part of the property comprising the U.S. Cotton Field Station: Therefore be it

*Resolved by the Board of Trustees of the Leland Consolidated School District in regular session, April 10, 1959, That they hereby respectfully request transfer of property described herein to Leland Consolidated School District, Leland, Miss., Washington County.*

## DESCRIPTION

That portion of the property of the United States of America known as the Lucy Armstrong Tract and a part of the property comprising the U.S. Cotton Field Station having a common boundary with the Leland Consolidated School District property on the west and the center or thread of stream of Deer Creek on the east and southerly boundary of property, said land being located and situated in the northwest quarter of sec. 14, T. 18 N., R. 7 W., in Washington County, Miss., and being more particularly described as follows: Commencing at the northeast corner of block 7 of the Armstrong second addition to the city of Leland, Washington County, Miss., thence N. 88° 39' E., 50 feet to an iron pipe which is the point of beginning, thence N. 1° 21' W., 50 feet to an iron pipe, thence N. 88° 39' E., 294.5 feet to a railroad rail set on the west boundary of the U.S. Cotton Field Station property, thence N. 1° 21' W. along said west boundary of U.S. Cotton Field Station property (being also the east boundary of school property) 135.00 feet to an iron pipe, thence S. 88° 39' W., 294.5 feet to the point of beginning and containing 20.60 acres gross, less 4.01 acres lying inside the high bank line of Deer Creek which leaves a net total of 16.59 acres more or less.

(Signed) D. H. WARTS,  
W. S. WITTE,  
GEO. REAUFUSER,  
MAURICE BROWN,  
J. M. DEAN,  
Board of Trustees,

*Leland Consolidated School District, Leland, Miss.*

Mr. JONES. Also, I had a call this morning from the Honorable Joe Evins, the Congressman from Tennessee, with reference to his bill, H.R. 5973, a bill to provide for the removal of the restriction on use with respect to a certain tract of land in Cumberland County, Tenn., conveyed to the State of Tennessee in 1938.

Mr. BASS. Mr. Evins could not be here this morning, Mr. Chairman, due to a meeting of the Appropriations Committee. His assistant is here, Mr. Marshall, in the interest of Mr. Evin's bill.

Mr. JONES. We will be glad to hear from you, Mr. Marshall.

Mr. MARSHALL. Mr. Evins asked if I might read a very brief statement on this for the benefit of the committee. It will take about 2 minutes.

Mr. JONES. Very well, Mr. Marshall.



**STATEMENT OF HON. JOE L. EVINS, A REPRESENTATIVE IN CONGRESS FROM THE FOURTH DISTRICT OF THE STATE OF TENNESSEE, PRESENTED BY JOE MARSHALL, ADMINISTRATIVE ASSISTANT**

Mr. MARSHALL. Incidentally, might I ask if you have had a Department report on this?

Mr. JONES. We have not had the Department reports on any of these bills, outside of H.R. 6591. However, there are some of the representatives of the Department here—there is a member of the Department here with respect to H.R. 5973—Mr. Smith is here. We will call on him in a minute. You may now read your statement.

Mr. MARSHALL. Mr. Chairman and members of the committee, I appreciate the opportunity of appearing before you to ask favorable consideration of H.R. 5973.

This bill is in effect a quitclaim to the State of Tennessee on a very small parcel of land which is now a part of Cumberland State Park in Cumberland County, in the fourth District of Tennessee which I have the honor to represent. Briefly, the reason for this bill is as follows: This piece of land is part of a large tract which was transferred to the State of Tennessee by the Farm Security Administration in 1938 for use as a State park. Since that time, this park has been developed and is one of the finest parks in our State. This park covers several hundred acres, has a fine lake, and a number of cabins and other facilities for use as a resort and recreational area.

At the very remote northeast corner of this tract the State highway department would like to construct a maintenance garage using 14.3 acres of this land. This little corner is in the most remote part of this entire tract. It is about a mile from the developed portion of the park by air and probably about 2 or even 3 miles by road. This particular 14.3 acres has not been used for park purposes at all, and it is now in very inferior, scrub woodland. The use by the highway department of this land as a site for the garage would in no sense whatever affect the operations of the park. The commissioner of conservation of the State of Tennessee, who has jurisdiction over the State parks, has expressed his agreement and approval of the use of this land for the garage. As it happens, we are familiar with this location, and we can testify personally that the above facts are correct and that there would be no interference whatever with the State park.

Now, in the original conveyance of this land from the Farm Security Administration to the State of Tennessee, there is a clause providing for reversion of the property in the event it ceases to be used exclusively for State park or State forest purposes. The Secretary of Agriculture and the Farmers Home Administration state that they have no authority to permit a modification or release from the reversionary provision of the above-mentioned conveyance. Thus, a congressional action is necessary to release this land to the State highway department for the desired purposes.

Therefore, in order to clear the way for the highway department to use this land for a highway garage it is necessary for the Federal Government through this bill to authorize the Secretary of Agricul-



ture to convey by quitclaim deed all title to this particular 14.3 acres of land.

Let me make clear that this bill involves only this 14.3 acres and will not in the slightest affect the rest of the land now being used for the State park and State forest.

That briefly is the whole story and the reason why I introduced this bill on behalf of the State of Tennessee. I hope that the committee will give a favorable report on this bill so that we can act on it in this session and make it possible for the State of Tennessee to construct this highway garage at the earliest possible time. Again let me thank you for your consideration and courtesy.

I might add—in reference to the park mentioned in Congressman Evins' statement, that this was part of the Cumberland Homestead Tract Farm and Settlement Administration, and was conveyed to the State when the Farm Security Administration was disposing this.

Mr. JONES. Thank you, sir.

Mr. MARSHALL. Thank you.

Mr. JONES. Mr. Henry Smith of the Farmers Home Administration is here. Do you care to comment on that?

#### STATEMENT OF HENRY C. SMITH, DEPUTY ADMINISTRATOR, FARMERS HOME ADMINISTRATION

Mr. SMITH. Mr. Chairman, no, sir. I do not have any additional information to present. The Department does not have this report available for the committee today. We will file it as soon as it is available.

Mr. JONES. That is fine.

We have one or two other bills here.

In reference to H.R. 6669, introduced by Congressman Morrison, of Louisiana, we do not have a report from the Department, but noting that Mr. Smith of the Farmers Home Administration is here, I would like to ask Mr. Smith if you have any comments, or will you file a report on that?

Mr. SMITH. Yes, sir; we are in the process of preparing a report on H.R. 6669. This bill simply involves a matter of extinguishing the reversionary interest that the Government has in land that was transferred to Louisiana A. & M. College back several years ago. It said in the original deed that the land would be used for vocational school purposes. The university wants to use it now for general educational purposes.

Title to this land is vested in the Louisiana Rural Rehabilitation Corp., and the Department of Agriculture has been serving as its trustee in the administration of these assets. Since this bill and somewhat similar bills introduced earlier in the year, we have obtained permission from the Board of Directors of the Louisiana Rural Rehabilitation Corp. to change the purpose for which the school may use the land. That would be necessary, of course, in carrying out the purpose of this act, and as soon as the Department report is available it will be filed with the committee.

Mr. BASS. That will prevent complications?

Mr. SMITH. Yes.

Mr. HAGEN. For what purpose is it to be used?

Mr. JONES. General educational purposes.

Mr. SMITH. General educational purposes, rather than specific purposes as in the original deed.

Mr. JONES. Unless there are some people here from the Department who have any comments I think the committee will stand adjourned subject to the call of the Chair.

(Whereupon, at 11:55 a.m., the subcommittee adjourned, subject to the call of the Chair.)

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LEGISLATIVE HISTORY

Public Law 86-285

H. R. 6669

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## INDEX AND SUMMARY OF H. R. 6669

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| Mar. 16, 1959  | Senator Ellender introduced S. 1404 which was referred to Senate Committee on Government Operations. Print of bill as introduced.             |
| Mar. 24, 1959  | Rep. McSween introduced H. R. 6011 which was referred to House Committee on Government Operations. Print of bill as introduced.               |
|                | Rep. Thompson of Louisiana introduced H. R. 5993 which was referred to House Committee on Government Operations. Print of bill as introduced. |
| Apr. 27, 1959  | Rep. Morrison introduced H. R. 6669 which was referred to House Committee on Agriculture. Print of bill as introduced.                        |
| July 15, 1959  | Senator Ellender introduced S. J. Res. 121 which was referred to Senate Government Operations Committee. Print of resolution as introduced.   |
| Aug. 3, 1959   | House subcommittee voted to report H. R. 6669, with amendment.  |
| Aug. 4, 1959   | House committee voted to report H. R. 6669 with amendment.  |
| Aug. 24, 1959  | House committee reported H. R. 6669 with amendments. House Report 976. Print of bill and House report.  |
| Aug. 25, 1959  | Senate committee voted to report S. J. Res. 121 without amendment.  |
| Aug. 27, 1959  | Senate committee reported S. J. Res. 121 without amendment. Senate Report 825. Print of bill and Senate report.                               |
| Aug. 31, 1959  | H. R. 6669 passed the House as reported. Print of bill as passed the House.   |
| Sept. 1, 1959  | H. R. 6669 was placed on the Senate calendar.   |
| Sept. 9, 1959  | Senate passed H. R. 6669 without amendment in lieu of S. J. Res. 121. S. J. Res. 121 was indefinitely postponed.                              |
| Sept. 16, 1959 | Approved: Public Law 86-285.  |
| Hearing:       | House Committee on Agriculture hearings on H. R. 6669.  |





## DIGEST OF PUBLIC LAW 86-285

USE OF LAND BY LOUISIANA STATE UNIVERSITY. Amends Public Law 148, 79th Congress, which conveyed certain land in Rapides Parish, Louisiana, to the board of supervisors of the Louisiana State University and Agricultural and Mechanical College, so as to permit the University to use the land for general educational purposes, rather than solely for agricultural and vocational school purposes. Repeals Public Law 41, 82d Congress, which provided for the transfer of 25 acres of the land to the Police Jury of Rapides Parish for holding livestock and agricultural expositions.









86TH CONGRESS  
1ST SESSION

# S. 1404

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## IN THE SENATE OF THE UNITED STATES

MARCH 16, 1959

MR. ELLENDER (for himself and Mr. LONG) (by request) introduced the following bill; which was read twice and referred to the Committee on Government Operations

---

## A BILL

To permit certain real property heretofore conveyed to the board of supervisors of Louisiana State University and Agricultural and Mechanical College to be used for general educational purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That the Administrator of General Services is authorized  
4       and directed to transfer by quitclaim deed or other appro-  
5       priate means to the board of supervisors of Louisiana State  
6       University and Agricultural and Mechanical College so much  
7       of the right, title, and interest remaining in the United States  
8       in and to that property located in Rapides Parish, Louisiana,



1 which was transferred to such board pursuant to the Act of  
 2 July 14, 1945 (Public Law 148, Seventy-ninth Congress),  
 3 on the condition that it be used for the establishment and  
 4 maintenance of an agricultural and vocational school, as may  
 5 be necessary to permit such board to use such property for  
 6 general educational purposes.

86TH CONGRESS  
 1ST SESSION

S. 1404

## A BILL

To permit certain real property heretofore conveyed to the board of supervisors of Louisiana State University and Agricultural and Mechanical College to be used for general educational purposes.

By Mr. ELLENDER and Mr. LONG

MARCH 16, 1959

Read twice and referred to the Committee on  
 Government Operations







86TH CONGRESS  
1ST SESSION

# H. R. 5993

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 24, 1959

Mr. THOMPSON of Louisiana introduced the following bill; which was referred to the Committee on Government Operations

---

## A BILL

To permit certain real property heretofore conveyed to the board of supervisors of Louisiana State University and Agricultural and Mechanical College to be used for general educational purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That the Administrator of General Services is authorized  
4       and directed to transfer by quitclaim deed or other appro-  
5       priate means to the board of supervisors of Louisiana State  
6       University and Agricultural and Mechanical College so much  
7       of the right, title, and interest remaining in the United  
8       States in and to that property located in Rapides Parish,  
9       Louisiana, which was transferred to such board pursuant to

1 the Act of July 14, 1945 (Public Law 148, Seventy-ninth  
 2 Congress), on the condition that it be used for the establish-  
 3 ment and maintenance of an agricultural and vocational  
 4 school, as may be necessary to permit such board to use such  
 5 property for general educational purposes.

86TH CONGRESS  
 1ST SESSION

H. R. 5993

## A BILL

To permit certain real property heretofore conveyed to the board of supervisors of Louisiana State University and Agricultural and Mechanical College to be used for general educational purposes.

By Mr. THOMPSON of Louisiana

MARCH 24, 1959

Referred to the Committee on Government Operations

86TH CONGRESS  
1ST SESSION

# H. R. 6011

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 24, 1959

MR. MCSWEEN introduced the following bill; which was referred to the Committee on Government Operations

---

## A BILL

To permit certain real property heretofore conveyed to the board of supervisors of Louisiana State University and Agricultural and Mechanical College to be used for general educational purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That the Administrator of General Services is authorized  
4       and directed to transfer by quitclaim deed or other appro-  
5       priate means to the board of supervisors of Louisiana State  
6       University and Agricultural and Mechanical College so much  
7       of the right, title, and interest remaining in the United  
8       States in and to that property located in Rapides Parish,  
9       Louisiana, which was transferred to such board pursuant to



1 the Act of July 14, 1945 (Public Law 148, Seventy-ninth  
 2 Congress), on the condition that it be used for the establish-  
 3 ment and maintenance of an agricultural and vocational  
 4 school, as may be necessary to permit such board to use  
 5 such property for general educational purposes.

86TH CONGRESS  
 1ST SESSION

H. R. 6011

## A BILL

To permit certain real property heretofore conveyed to the board of supervisors of Louisiana State University and Agricultural and Mechanical College to be used for general educational purposes.

By Mr. McSWEEN

MARCH 24, 1959

Referred to the Committee on Government Operations







86TH CONGRESS  
1ST SESSION

# H. R. 6669

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 27, 1959

Mr. MORRISON introduced the following bill; which was referred to the Committee on Agriculture

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## A BILL

To amend the Act of July 14, 1945, to provide that the Louisiana State University and Agricultural and Mechanical College may use certain real property heretofore conveyed to it by the United States for general educational purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That the first section of the Act entitled "An Act to trans-  
4       fer certain lands situated in Rapides Parish, Louisiana, to  
5       board of supervisors of Louisiana State University and Agri-  
6       cultural and Mechanical College", approved July 14, 1945  
7       (59 Stat. 468), is amended by striking out "for the estab-  
8       lishment and maintenance of an agricultural and vocational

1 school” and by inserting in lieu thereof the following: “for  
2 educational purposes”.

3 SEC. 2. The Secretary of Agriculture shall execute such  
4 instruments in writing as may be necessary to carry out the  
5 amendment made by the first section of this Act.

86TH CONGRESS  
1ST SESSION

H. R. 6669

## A BILL

To amend the Act of July 14, 1945, to provide that the Louisiana State University and Agricultural and Mechanical College may use certain real property heretofore conveyed to it by the United States for general educational purposes.

By Mr. MORRISON

APRIL 27, 1959

Referred to the Committee on Agriculture

## S. J. RES. 121

RELATIVE TO THE

REVENUE

AND THE

## JOINT RESOLUTION

RELATIVE TO THE

REVENUE





86TH CONGRESS  
1ST SESSION

# S. J. RES. 121

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IN THE SENATE OF THE UNITED STATES

JULY 15, 1959

Mr. ELLENDER (for himself and Mr. LONG) introduced the following joint resolution; which was read twice and referred to the Committee on Government Operations

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## JOINT RESOLUTION

To permit certain real property heretofore conveyed to the board of supervisors of Louisiana State University and Agricultural and Mechanical College to be used for general educational purposes.

Whereas, pursuant to Public Law 148 of the Seventy-ninth Congress, the Secretary of Agriculture conveyed to the board of supervisors of Louisiana State University and Agricultural and Mechanical College for use for the establishment and maintenance of an agricultural and vocational school certain real property held by the United States under an agreement of transfer with the Louisiana Rural Rehabilitation Corporation dated March 31, 1937, such property to revert to the United States if not used for such purpose; and

Whereas, in accordance with the Rural Rehabilitation Corporation Trust Liquidation Act (Public Law 499, Eighty-first

Congress), the Secretary of Agriculture is presently administering the retained interest in said property as trustee under an agreement with the Louisiana Rural Rehabilitation Corporation dated December 15, 1953, as amended and extended on November 8, 1955; and

Whereas it is desired to permit the board of supervisors of Louisiana State University and Agricultural and Mechanical College to also use said property for general educational purposes; including the twenty-five acres authorized by Public Law 41, Eighty-second Congress, to be transferred to the police jury of the parish of Rapides, since such transfer was not made because the proposed transferee made other arrangements for holding livestock and agricultural expositions: Now, therefore, be it

1        *Resolved by the Senate and House of Representatives*  
 2   *of the United States of America in Congress assembled,*  
 3   That Public Law 41, Eighty-second Congress, is hereby re-  
 4   pealed, and upon the written consent of the Louisiana Rural  
 5   Rehabilitation Corporation, the Secretary of Agriculture is  
 6   authorized and directed to transfer by quitclaim deed or  
 7   other appropriate means to the board of supervisors of  
 8   Louisiana State University and Agricultural and Mechanical  
 9   College so much of the right, title, and interest remaining  
 10   in the United States in and to the property which was  
 11   transferred to such board pursuant to said Public Law 148,  
 12   as may be necessary to permit such board to also use such  
 13   property for general educational purposes.





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## **JOINT RESOLUTION**

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To permit certain real property heretofore conveyed to the board of supervisors of Louisiana State University and Agricultural and Mechanical College to be used for general educational purposes.

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By Mr. ELLENDER and Mr. LONG

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JULY 15, 1959

Read twice and referred to the Committee on  
Government Operations







Aug 3, 1959

5. FOREIGN AFFAIRS. Both Houses received from the National Advisory Council on International Monetary and Financial Problems a report on its activities for July 1 to Dec. 31, 1958. pp. 13568, 13719
6. VETERANS' BENEFITS. Sens. Young, O., and Yarborough urged the enactment of legislation to provide education benefits to veterans who have served in the Armed Forces since the Korean conflict. pp. 13600-2
7. FORESTRY; NATURAL RESOURCES. Sen. Neuberger inserted a letter from the Citizens Committee on Natural Resources urging the enactment of legislation for the preservation of wilderness areas. pp. 13609-10  
Sen. Murray inserted an article by the chief of staff of the Menninger Foundation discussing the need for recreational activities, and stating that "wilderness and near wilderness areas are essential to the mental health of both children and adults." pp. 13626-8
8. TEXTILES. Sen. Pastore inserted a Department of Commerce press release discussing the first meeting of the interdepartmental Textile Industry Advisory Committee studying problems in the textile industry. pp. 13618-9
9. MINERALS. S. 1855, to amend the Mineral Leasing Act of 1920 so as to increase certain acreage limitations with respect to Alaska, was made the unfinished business. p. 13653
10. ECONOMIC CONDITIONS. Sen. Javits discussed the "economic and budgetary realities confronting the Congress," including comments on inflation, Federal expenditures, foreign aid, and the importance of food in our foreign aid program. pp. 13657-69  
Sen. Williams, Del., discussed our "serious economic and financial crisis," and urged a reduction in Federal expenditures and the control of inflation. pp. 13675-80
11. ELECTRIFICATION. Sen. Morse opposed proposed legislation to authorize Federal subsidies to private power companies operating up-stream storage dams, and inserted a statement by Rep. Ullman, and his own statement before the S. Interstate and Foreign Commerce Committee, opposing such legislation. pp. 13682-4

#### HOUSE

12. MILK. Passed, under suspension of the rules, S. 1289, to increase and extend the special milk program (pp. 13710-2). Earlier in the day, at the request of Rep. Pelly, S. 1289 was passed over without prejudice (p. 13690). See Digest 124 for the provisions of this bill.
13. DISASTER RELIEF. Passed, under suspension of the rules, H. R. 6861, to require contributions by State governments to the cost of feed or seed furnished to farmers, ranchers, or stockmen in disaster areas. pp. 13709-10
14. PEANUTS. Passed as reported H. R. 4938, to continue the exemption of green peanuts from acreage allotments and marketing quotas. p. 13690
15. COTTON. Debated, under suspension of the rules, H. R. 7740, to provide for the preservation of acreage history and the reallocation of unused cotton acreage allotments. In the light of an absence of a quorum and under unanimous agreement, the vote on this bill was passed over until Wed., Aug. 5. pp. 13702-9



Aug 3, 1959

*House*

16. FARM LOANS. Passed with amendment S. 1512, to amend the Federal Farm Loan Act so as to transfer responsibility for making appraisals from the Farm Credit Administration to the Federal land banks. The House previously passed with amendment H. R. 6353, a similar bill, and then substituted the provisions of H. R. 6353 for the language in S. 1512, and H. R. 6353 was laid on the table. The amendment, which was offered by Rep. Murray, was to make the retirement deductions 7% for certain employees who would become employees of the banks. pp. 13690-7

Passed without amendment H. R. 7629, to amend Sec. 17 of the Bankhead-Jones Farm Tenant Act so as to continue indefinitely the authority of FHA to make real estate loans for refinancing farm debts. p. 13698

17. LANDS; LEASING; MINERALS. Passed without amendment S. 1110, to allow this Department to convey interests in submarginal lands to Clemson College, S.C. H. R. 4697, a similar bill, was laid on the table. This bill will now be sent to the President. p. 13690

Passed as reported H. R. 6940, to amend the Mineral Leasing Act of 1920 so as to increase certain acreage limitations with respect to Alaska. p. 13699

Passed as reported H. R. 6939, to amend the act providing for the leasing of coal lands in Alaska so as to increase the acreage limitation in such act. p. 13699-700

Passed without amendment H. R. 5849, to modify conditions under which Alaska may select lands made subject to lease, permit, license, or contract. p. 13701

The Subcommittee on Departmental Oversight and Consumer Relations of the Agriculture Committee voted to report to the full committee two bills: (1) ~~H. R. 5442, to authorize this Department to convey certain lands in Iowa to the city of Keosauqua;~~ and (2) H. R. 6669, with amendment, to provide that the Louisiana State University may use certain real property heretofore conveyed to it for general educational purposes. p. D701

18. RECLAMATION. Conferees were appointed on S. 994, to authorize the Interior Department to construct, operate, and maintain the Spokane Valley project, Wash and Idaho, under Federal reclamation laws. Senate conferees have been appointed. p. 13687

19. COCONUT OIL. Passed over, at the request of Rep. Weaver, H. J. Res. 441, to authorize the disposition of approximately 265 million pounds of coconut oil from the national stockpile. p. 13690

20. DEFENSE DEPARTMENT APPROPRIATION BILL FOR 1960. Received the conference report on this bill, H. R. 7454 (H. Rept. 743). pp. 13685-7, 13719

21. INTERGOVERNMENTAL RELATIONS. The Government Operations Committee reported (on July 31, during adjournment) with amendment H. R. 6904, to establish an advisory Commission on Intergovernmental Relations (H. Rept. 742). p. 13719

22. FOREIGN TRADE. A report submitted on July 29, on the Second Meeting of the Canada-United States Interparliamentary Group (U. S. Members of Congress and Canadian M. P.'s), includes a discussion on trade problems (relating mainly to minerals) between the two countries and a section on boundary water problems including the St. Lawrence Seaway (H. Rept. 730).

23. TEXTILES; FOREIGN TRADE. The Ways and Means Committee voted to report (but did not actually report) two bills with amendment: (1) H. R. 2886, to suspend for 3 years the import duties on certain classifications of spun silk yarn; and (2) H. R. 6249, to liberalize the tariff laws for works of art and other exhibition material. p. D702







# Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF  
BUDGET AND FINANCE

(For Department  
Staff Only)

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For actions of August 4, 1959 -  
86th-1st; No. 131

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HIGHLIGHTS: Sens. Ellender and Symington criticized administration's new farm bill proposals. House committee adopted measure endorsing long-range forest development program. Senate subcommittee approved new housing bill.

## HOUSE

1. AGRICULTURAL ATTACHES. The Agriculture Committee voted to report (but did not actually report) H. R. 8074, to permit the assignment of agricultural attaches, etc., to duty in the U. S. for a maximum of four years without reduction in grade. p. D710
2. FORESTRY. The "Daily Digest" states that the Agriculture Committee "adopted and forwarded to the Committee on Appropriations a committee resolution endorsing the long-range program for the development of the national forests." p. D710
3. INFORMATION. The "Daily Digest" states that the Agriculture Committee adopted and forwarded to the Judiciary Committee a resolution relating to the proclamation of National Farm-City Week. p. D710



4. WATERSHED. The "Daily Digest" states that watershed projects in Ohio, Indiana, Maryland, and Texas were approved by the Agriculture Committee. p. D710
  5. LANDS. The Agriculture Committee voted to report (but did not actually report) the following bills: (1) H. R. 5442, to authorize this Department to convey certain lands in Iowa to the city of Keosauqua; (2) H. R. 5973, concerning the removal of the restriction on a certain tract of land in Cumberland County, Tenn.; and (3) H. R. 6669, with amendment, to provide that the Louisiana State University may use certain real property heretofore conveyed to it for general educational purposes. p. D710
  6. VIRGIN ISLANDS. The Territorial and Insular Affairs Subcommittee of the Interior and Insular Affairs Committee voted to report (but did not actually report) with amendment H. R. 7870, to amend the revised Organic Act of the Virgin Islands. p. D711
  7. ATOMIC ENERGY APPROPRIATION BILL FOR 1960. Conferees were appointed on this bill, H. R. 8283. The Appropriations Committee was authorized to file the conference report by midnight Aug. 5. Senate conferees have already been appointed. p. 13785
  8. FOREIGN CURRENCIES. The Appropriations Committee was authorized to file a report on the military construction bill by midnight Fri., Aug. 7. p. 13788
  9. HOUSING; DEPRESSED AREAS. Rep. Curtin urged support for his bill, H. R. 4796, which he stated provides "much-needed temporary relief from the pressure of FHA-insured and VA-guaranteed mortgages in distress cases where extraordinary circumstances prevail," and suggested that this bill might be incorporated in the omnibus housing bill to be considered. p. 13802
- SENATE
10. FARM PROGRAM. Sen. Ellender expressed disappointment over a letter from the Secretary "transmitting to me proposed draft legislation to accomplish the President's views on a farm program," stated that the proposals were the same as he "presented to the committee beginning as far back as February," stated that he understood from a letter he received from the President that the administration "was prepared to send to me, in response to my request, proposed legislation which, in the light of what Congress did last month and the month before, might have some chance of passage," and charged the Secretary "is once again laying the cornerstone for what I feel sure will be a series of nationwide speaking trips endeavoring to lay the blame for no new farm legislation at the doorstep of Congress." Sen. Ellender inserted copies of correspondence between himself and the President discussing proposed new farm legislation, a copy of the Secretary's August 3, 1959, letter with a draft of proposed legislation, and copies of letters from this Department (on May 1) concerning drafts of legislation submitted to Rep. Whitten. Sen. Symington commended Sen. Ellender's statement and criticized the Secretary as refusing "to give us his overall recommendations." pp. 13754-60
  11. ELECTRIFICATION. The Public Works Committee reported without amendment S. 2471, to amend H. R. 3460, so as to delete a provision which would bar commitment for any TVA power construction until a proposal for such construction had been before Congress for 90 days without modifying action by concurrent resolution (S. Rept. 607). p. 13725







Aug 24, 1959

- 3 -

12. PUBLIC LANDS; WILDLIFE. The Judiciary Committee reported without amendment H. R. 2725, to prohibit the use of aircraft or motor vehicles to hunt wild horses or burros on public lands (S. Rept. 802). p. 15358
13. ACCOUNTING; ALLOTMENTS. Received from this Department a report on the over-obligation of an allotment under the school lunch program. p. 15357
14. APPROPRIATIONS. Received from the President a supplemental appropriation estimate for various agencies (does not include any estimate for this Department). p. 15357
15. WATERSHEDS. Both Houses received from the Budget Bureau a report on plans for works of improvement on the following watersheds: Blackberry River and N. Branch Park River, Conn., Taylor Creek, Fla., Potato Creek, Ga., Crab Orchard Creek, Ky., East Fork of Clarks River, Ky. and Tenn., SuAsCo, Mass., Bowman-Spring Branch, Nebr., Santa Cruz River, N. Mex., Willakenzie area, Ore., Green-Dreher, Pa., and Caney Creek, Tex.; to S. Agriculture and Forestry and H. Agriculture Committees; and Caney-Coon Creek, Okla.; to Public Works Committees. pp. 15357, 15468
16. FOREIGN TRADE. Received from the Commerce Department a report on export control for the second quarter of 1959. p. 15357

#### HOUSE

17. SMALL BUSINESS. Passed without amendment H. R. 8599, to amend the Small Business Act so as to increase the revolving fund of the Small Business Administration from \$900,000,000 to \$1,100,000,000. pp. 15419-23
18. VEHICLES. Began debate on H. R. 1341, to require passenger-carrying motor vehicles purchased for use by the Federal Government to meet certain safety standards. pp. 15424-46
19. MINERALS; LANDS. Debated H. Con. Res. 177, declaring the sense of Congress on the depressed domestic mining and mineral industries affecting public and other lands. (pp. 15423-4, 15446-58). The resolution providing for the consideration of this measure was adopted earlier in the day (pp. 15423-4).
20. LANDS. The Agriculture Committee reported ~~without amendment S. 1453, to authorize this Department to sell a tract of Forest Service land to Keosauqua, Iowa (H. Rept. 965); S. 1521, to provide for the removal of the restriction on use with respect to a certain tract of land in Cumberland County, Tenn. (H. Rept. 966); and with amendment~~ H. R. 6669, to provide that the Louisiana State University may use certain real property heretofore conveyed to it for general educational purposes (H. Rept. 976). pp. 15468-9
21. RECLAMATION. The Interior and Insular Affairs Committee reported with amendment H. R. 4279, to construct and maintain the lower Rio Grande rehabilitation project, Texas (H. Rept. 971), and without amendment H. R. 4952, to amend the Act authorizing the Crooked River Federal reclamation project, Oregon, in order to increase the capacity of certain project features for future irrigation of additional lands (H. Rept. 973). pp. 15468-9

22. WHEAT. The Agriculture Committee reported without amendment H. R. 4874, to provide for preserving wheat acreage history on farms on which the farm marketing excess is adjusted to zero because of underproduction (H. Rept. 972). pp. 15468-9
23. RESEARCH; FISHERIES. The Merchant Marine and Fisheries Committee reported with amendment H. R. 5004, to undertake continuing research on the biology of the migratory marine species of game fish of the U. S. and contiguous waters (H. Rept. 974); and without amendment H. R. 5813, to undertake continuing studies of the effects of insecticides upon fish and wildlife for the purpose of preventing losses of those invaluable natural resources (H. Rept. 975). p. 15469
24. SOIL BANK. The Agriculture Committee reported with amendment H. R. 8043, to authorize certain conservation reserve payments to producers due to erroneous contract approval (H. Rept. 977). p. 15469
25. AGRICULTURAL ATTACHES. The Agriculture Committee reported without amendment H. R. 8074, to permit the assignment of agricultural attaches to duty in the U. S. for a maximum of four years without reduction in grade (H. Rept. 978). p. 15469
26. TARIFFS; EXHIBITS. The Ways and Means Committee reported with amendment H. R. 6249, to liberalize the tariff laws for works of art and other exhibition material (H. Rept. 984). p. 15469
27. PERSONNEL. The report of the House Post Office and Civil Service Committee in reporting S. 2162, to provide an employee health insurance program, summarizes the major provisions of the bill as follows:

"The reported bill makes basic and catastrophic health protection available to approximately 2 million Federal employees and their dependents. Employees will have free choice among health benefits plans in four major categories, including (1) a Government-wide service benefit plan, such as is offered by Blue Cross-Blue Shield, (2) a Government-wide indemnity benefit plan, such as is currently offered by several insurance companies, (3) one of several employee organization plans, such as the present health plans of the National Association of Letter Carriers and the National Federation of Post Office Clerks, and (4) a comprehensive medical plan, which may be either a group-practice prepayment plan (such as the Kaiser Foundation plan in California and the Group Health Association plan in Washington, D.C.) or an individual-practice prepayment plan (such as the Group Health Insurance plan in New York). The Government-wide service benefit plan and the Government-wide indemnity benefit plan each will include at least two levels of benefits.

"The reported bill retains the provisions of the Senate-passed bill (1) providing for 50 percent contribution by the Government to subscription charges and (2) establishing biweekly maximum contributions of \$1.75 for an individual employee, \$4.25 for an employee and family, and \$2.50 for a female employee and family including a non-dependent husband.



## USE OF LOUISIANA STATE UNIVERSITY AND AGRICULTURAL AND MECHANICAL COLLEGE LANDS

AUGUST 24, 1959.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. COOLEY, from the Committee on Agriculture, submitted the following

### REPORT

[To accompany H.R. 6669]

The Committee on Agriculture, to whom was referred the bill (H.R. 6669) to amend the act of July 14, 1945, to provide that the Louisiana State University and Agricultural and Mechanical College may use certain real property heretofore conveyed to it by the United States for general educational purposes, having considered the same, report favorably thereon with amendments and recommend that the bill do pass.

The amendments are as follows:

Page 2, line 3, strike out lines 3 through 5 and insert the following:

SEC. 2. The Secretary of Agriculture is authorized and directed upon written consent of the Louisiana Rural Rehabilitation Corporation, to execute such quitclaim deed or other instruments in writing as may be necessary to carry out the amendment made by the first section of this Act.

SEC. 3. Public Law 41, 82d Congress, approved May 29, 1951 (65 Stat. 46), which provided for transfer of 25 acres of the subject property to the Police Jury of the Parish of Rapides, is hereby repealed since such transfer was not made because the proposed transferee made other arrangements for holding livestock and agricultural expositions.

#### PURPOSE

This bill would permit Louisiana State University and Agricultural and Mechanical College to use some 3,113 acres for general educational purposes, rather than solely for agricultural and vocational school purposes as now required under a previous conveyance.



## COST

The cost of this bill would be negligible. Only the use to which the land may be put is affected by this bill.

## NEED FOR LEGISLATION

The school finds that a broader use of the land involved is necessary in order to fully implement its educational programs.

## DEPARTMENTAL APPROVAL

The Department has no objection to H.R. 6669, provided certain amendments are adopted. The committee has adopted these amendments. The Department's report is as follows:

DEPARTMENT OF AGRICULTURE,  
*Washington, D.C., June 18, 1959.*

HON. HAROLD D. COOLEY,  
*Chairman, Committee on Agriculture.*

DEAR CONGRESSMAN COOLEY: This is in reply to your letter of May 12, 1959, requesting a report on H.R. 6669, to amend the act of July 14, 1945, to provide that the Louisiana State University and Agricultural and Mechanical College may use certain real property heretofore conveyed to it by the United States for general educational purposes.

This bill is similar in purpose to H.R. 5993 and H.R. 6011, on which we recently reported to the chairman of the Government Operations Committee. H.R. 6669 would permit Louisiana State University and Agricultural and Mechanical College to use approximately 3,113 acres for general educational purposes. It is presently using this property for agricultural and vocational school purposes under a quitclaim deed executed by the Government on July 24, 1946, with the approval of the Louisiana Rural Rehabilitation Corp.

At the time of the 1946 conveyance the property was held by the United States under a trust agreement with the Louisiana Rural Rehabilitation Corp. dated March 31, 1937. The Secretary of Agriculture is presently administering the retained interest in this property under a subsequent trust agreement with the Louisiana Rural Rehabilitation Corp. in accordance with section 2(f) of the Rural Rehabilitation Corp. Trust Liquidation Act (Public Law 499, 81st Cong.).

Under these circumstances, the consent of the Louisiana Rural Rehabilitation Corp. is necessary to permit the university to use the property for general educational purposes. A majority of the board of directors of the Louisiana Rural Rehabilitation Corp. have indicated informally that they would consent to the use of the property for such purposes. Accordingly, the Department has no objection to enactment of H.R. 6669, provided section 2 is amended and section 3 is added to read as follows:

"SEC. 2. The Secretary of Agriculture is authorized and directed, upon written consent of the Louisiana Rural Rehabilitation Corporation, to execute such quitclaim deed or other instruments in writing as may be necessary to carry out the amendment made by the first section of this Act.

"SEC. 3. Public Law 41, 82d Congress, approved May 29, 1951 (65 Stat. 46), which provided for transfer of 25 acres of the subject property to the Police Jury of the Parish of Rapides, is hereby repealed since such transfer was not made because the proposed transferee made other arrangements for holding livestock and agricultural expositions."

The Bureau of the Budget advises that there is no objection to the submission of this report.

Sincerely,

E. T. BENSON, *Secretary*.

#### CHANGES IN EXISTING LAW

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in *italic*, and existing law in which no change is proposed is shown in roman):

[PUBLIC LAW 148—79TH CONGRESS]

[CHAPTER 300—1ST SESSION]

[59 Stat. 468]

Approved July 14, 1945

AN ACT To transfer certain lands situated in Rapides Parish, Louisiana, to board of supervisors of Louisiana State University and Agricultural and Mechanical College

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That, upon the written consent of the majority of directors of the Louisiana Rural Rehabilitation Corporation, the Secretary of Agriculture is hereby directed to convey, grant, transfer, and quitclaim forthwith to the board of supervisors of Louisiana State University and Agricultural and Mechanical College, subject to a covenant on the part of such board to use such property [for the establishment and maintenance of an agricultural and vocational school] *for educational purposes*, all right, title, claim, interest, equity, and estate in and to the following-described lands administered by the Secretary as trustee under an agreement of transfer, dated March 31, 1937, with the Louisiana Rural Rehabilitation Corporation and situated in the Parish of Rapides, State of Louisiana, together with the improvements thereon and the rights and the appurtenances thereunto belonging or appertaining, to wit:

Three thousand one hundred and thirteen acres, more or less, located in Rapides Parish, Louisiana, and known as the Boeuf Bayou farms project of the Farm Security Administration of the War Food Administration, within the United States Department of Agriculture.

SEC. 2. Until such time as the functions, powers, and duties of the War Food Administrator or the War Food Administration are terminated, the authority vested in the Secretary of Agriculture by this Act shall be exercised by the War Food Administrator.

SEC. 3. The transfer of such lands under this Act is hereby found to be in the general interest of rural rehabilitation and shall not be deemed to impose any liability upon the Secretary of Agriculture (or War Food Administrator, as the case may be) with respect to his obligations under such agreement of transfer of March 31, 1937.



86TH CONGRESS  
1ST SESSION

# H. R. 6669

[Report No. 976]

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 27, 1959

Mr. MORRISON introduced the following bill; which was referred to the Committee on Agriculture

AUGUST 24, 1959

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Omit the part struck through and insert the part printed in italic]

---

## A BILL

To amend the Act of July 14, 1945, to provide that the Louisiana State University and Agricultural and Mechanical College may use certain real property heretofore conveyed to it by the United States for general educational purposes.

- 1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That the first section of the Act entitled "An Act to trans-  
4       fer certain lands situated in Rapides Parish, Louisiana, to  
5       board of supervisors of Louisiana State University and Agri-  
6       cultural and Mechanical College", approved July 14, 1945  
7       (59 Stat. 468), is amended by striking out "for the estab-  
8       lishment and maintenance of an agricultural and vocational



1 school" and by inserting in lieu thereof the following: "for  
2 educational purposes".

3 ~~SEC. 2. The Secretary of Agriculture shall execute such~~  
4 ~~instruments in writing as may be necessary to carry out the~~  
5 ~~amendment made by the first section of this Act.~~

6 *SEC. 2. The Secretary of Agriculture is authorized and*  
7 *directed upon written consent of the Louisiana Rural Reha-*  
8 *bilitation Corporation, to execute such quitclaim deed or other*  
9 *instruments in writing as may be necessary to carry out the*  
10 *amendment made by the first section of this Act.*

11 *SEC. 3. Public Law 41, Eighty-second Congress, ap-*  
12 *proved May 29, 1951 (65 Stat. 46), which provided for*  
13 *transfer of twenty-five acres of the subject property to the*  
14 *Police Jury of the Parish of Rapides, is hereby repealed*  
15 *since such transfer was not made because the proposed trans-*  
16 *feree made other arrangements for holding livestock and*  
17 *agricultural expositions.*



[Report No. 976]

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# A BILL

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To amend the Act of July 14, 1945, to provide that the Louisiana State University and Agricultural and Mechanical College may use certain real property heretofore conveyed to it by the United States for general educational purposes.

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By Mr. MORRISON

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APRIL 27, 1959

Referred to the Committee on Agriculture

AUGUST 24, 1959

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed







# Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF  
BUDGET AND FINANCE

(For Department  
Staff Only)

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HIGHLIGHTS: Senate committee reported amendments to Public Law 480 bill. House committee reported housing bill. House subcommittee voted to report bill to require marketing quotas for rice.

## SENATE

1. FOREIGN TRADE; SURPLUS COMMODITIES. The Agriculture and Forestry Committee reported amendments to S. 1748, to extend Public Law 480 (p. 15478). The "Daily Digest" states that the committee amendments include a 3-year extension of the law (p. D821). Sen. Johnston expressed his support for an amendment proposed by Sen. Butler "to provide that shipments of surplus agricultural commodities destined to foreign countries exported under the Public Law 480 program, must be delivered directly to the export vessel at a U. S. port." Several Senators expressed opposition to the proposed amendment, (pp. 15536-8).

2. SILK IMPORTS. The Finance Committee reported without amendment H. R. 2386, to suspend for 3 years, beginning 60 days from date of enactment, the import duties on certain classification of spun silk yarn (S. Rept. 311). p. 15474
3. CREDIT UNIONS. The Banking and Currency Committee reported with amendments H. R. 2305, to make various amendments to the Federal Credit Union Act (S. Rept. 314). p. 15474
4. PERSONNEL. The Post Office and Civil Service Committee voted to report (but did not actually report) the following bills: H. R. 5752, to grant Federal employees legal holidays on Friday for holidays occurring on Saturday; and H. R. 6059, to provide additional civilian positions for the Department of Defense for scientific research and development, with an amendment to include the text of S. 2461, to amend the Federal Employees Group Life Insurance Act of 1954 to eliminate the provision reducing the amount of insurance after age 65. p. D822

The Post Office and Civil Service Committee voted, 6 to 3, to postpone action until next year on S. 1638, to establish an Office of Personnel Management and revise the functions of the Civil Service Commission. p D822

5. PROPERTY. The Government Operations Committee voted to report (but did not actually report) the following: S. J. Res. 121, without amendment, to permit certain property conveyed by this Department to the La. State University and Agricultural and Mechanical College to be used for general educational purposes; ~~S. 155, with amendment, to permit the donation of Government surplus property to libraries which are tax-supported or publicly owned and operated;~~ S. 1018, with amendment, to authorize the donation of surplus property to certain agencies engaged in cooperative agricultural extension work; and S. 910, with amendment, to authorize the payment to local governments of sums in lieu of taxes and special assessments on Federal property (the "Daily Digest" states that prior to approval of this bill the committee rejected a motion by Sen. Mundt to substitute the language of his bill, S. 1417, to establish a temporary Commission on Federal Contributions to State and Local Governments). p. D821
6. PUBLIC LANDS; WILDLIFE. Passed without amendment H. R. 2725, to prohibit the use of aircraft or motor vehicles to hunt wild horses or burros on Federal lands. This bill will now be sent to the President. pp. 15493-7
7. BUILDINGS. Passed with amendment H. R. 7645, to grant GSA additional authority for the construction, alteration, and acquisition of Federal buildings. Senate conferees were appointed. A similar bill, S. 1654, was indefinitely postponed. pp. 15528-33
8. FOREIGN TRADE. Passed with amendment H. R. 2411, to provide for the free importation of tourist literature after agreeing to an amendment by Sen. Yarborough to delete a section which would have increased the import duty on wood moldings. pp. 15514-23, 15526
9. CLAIMS; CIVIL DEFENSE. Received from the President supplemental appropriation estimates to pay claims for damages and judgments against the U. S. (S. Doc. 48), and for "salaries and expenses" of the Office of Civil and Defense Mobilization (S. Doc. 49). p. 15474







# Digest of CONGRESSIONAL PROCEEDINGS

## OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF  
BUDGET AND FINANCE

(For Department  
Staff Only)

Issued Aug. 28, 1959  
For actions of Aug. 27, 1959  
86th-1st, No. 148

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| Wheat.....               | 11,38    |  |  |
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HIGHLIGHTS: House committee reported bill to provide payments on lightweight hogs.  
House committee reported bill to require marketing quotas for rice. House passed  
housing bill.

### SENATE

1. SILK IMPORTS. Passed without amendment H. R. 2886, to suspend for 3 years, beginning 60 days from date of enactment, the import duties on certain classifications of spun silk yarn. This bill will now be sent to the President. p. 15759
2. PROPERTY. The Government Operations Committee reported without amendment S. J. Res. 121, to permit certain property conveyed by this Department to the La. State University and Agricultural and Mechanical College to be used for general educational purposes (S. Rept. 825). p. 15694

The Government Operations Committee reported with amendment S. 1018, to authorize the donation of surplus property to certain agencies engaged in cooperative agricultural extension work (S. Rept. 826). p. 15695

3. PERSONNEL. The Post Office and Civil Service Committee reported without amendment H. R. 5752, to grant Federal employees legal holidays on Friday for holidays occurring on Saturday (S. Rept. 830). p. 15695

Received from GSA a proposed bill "to include certain officers and employees of the General Services Administration within the provisions of the United States Code relating to assaults upon, and homicides of, certain officers and employees of the United States as constituting a crime"; to Judiciary Committee. p. 15694

4. RECLAMATION. Subcommittees of the Interior and Insular Affairs Committee voted to report the following bills: H. R. 839, to approve certain adjusting, deferring, and cancelling of irrigation charges against non-Indian owned lands near the Wapato Indian irrigation project, Wash.; S. 1892, to authorize construction of the Norman Federal reclamation project, Okla.; and H. R. 1778, with amendment, to amend Sec. 17(b) of the Reclamation Act of 1939 to defer payment of certain construction costs by water users. p. D836

5. FORESTRY. Sen. Murray inserted the 1958 report of the Interior and Insular Affairs Committee recommending that the Forest Service "undertake the direction of a consolidated and integrated forestry program embracing all commercial timberlands now under Federal jurisdiction," and stated that, "It is extremely disappointing to me that in the last 3 years the executive branch has not exercised its responsibility to improve the efficiency and coordination of Federal timber sales activities." pp. 15706-7

6. WOOL. Sen. McGee referred to "the controversy now raging between the American Farm Bureau Federation and the National Lamb Feeders Association" concerning "the referendum under section 708 of the National Wool Act, which provides for a check-off system in raising funds to promote the sheep industry," and inserted a letter from the president of the National Wool Growers Assoc. opposing the check-off system, and two articles discussing the referendum. pp. 15709-10

7. ATOMIC ENERGY. Both Houses received from the President the second annual report covering U. S. participation in the International Atomic Energy Agency for 1958, including reference to conclusion of a relationship agreement with the Food and Agriculture Organization of the United Nations. pp. 15693, 15772

8. EDUCATION. Received from the Chairman, U. S. Advisory Commission on Educational Exchange, a letter transmitting, pursuant to law, a report of that Commission, for the period January 1 to June 30, 1959. p. 14694

9. FARM PROGRAM. Sen. Proxmire inserted the results of a poll in his State as it pertained to questions on spending and the Federal budget and stated that "both rural and urban respondents as well as Democratic and Republican oppose the fantastic cost of the Benson-administered farm program by supporting a reduction in the cost of the farm program." p. 15707-8

10. CIVIL DEFENSE. Sen. Young, Ohio, discussed the elimination of civil defense money from the independent offices appropriation bill, criticized the



PERMITTING CERTAIN REAL PROPERTY HERETOFORE CONVEYED  
TO THE BOARD OF SUPERVISORS OF LOUISIANA STATE UNIVER-  
SITY AND AGRICULTURAL AND MECHANICAL COLLEGE TO BE  
USED FOR GENERAL EDUCATIONAL PURPOSES

---

AUGUST 27 (legislative day, AUGUST 26), 1959.—Ordered to be printed

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Mr. GRUENING, from the Committee on Government Operations,  
submitted the following

R E P O R T

[To accompany S.J. Res. 121]

The Committee on Government Operations, to whom was referred Senate Joint Resolution 121, to permit certain real property heretofore conveyed to the board of supervisors of Louisiana State University and Agricultural and Mechanical College to be used for general educational purposes, having considered the same, report favorably thereon, without amendment, and recommend that the resolution do pass.

PURPOSE

Senate Joint Resolution 121 would permit the use of certain real property heretofore conveyed to the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College for general educational purposes. The resolution would repeal the restrictions on the use of this property contained in Public Law 41, 82d Congress, which provided that a 25-acre portion of the property in question be transferred to the police jury of the parish of Rapides for use in holding livestock and agriculture expositions, and would authorize its use for general educational purposes.

BACKGROUND INFORMATION

The property to which this legislation relates was originally owned by the Louisiana Rural Rehabilitation Corp. The property, consisting of 3,113 acres, was subsequently transferred to the Secretary of Agriculture, as trustee, pursuant to an agreement of transfer, dated March 31, 1937, between the Louisiana Rural Rehabilitation Corp. and the United States. Under the terms of this agreement, the



Secretary of Agriculture is obligated to administer the assets of the corporation "for rural rehabilitation purposes in the State of Louisiana." Under such terms set forth in the agreement, the Government did not become the absolute owner of the property free of all restrictions upon the disposal thereof but acquired only the legal title in order to carry out the purposes of the agreement. Public Law 148, 79th Congress, provides that the land shall revert to the United States if at any time it is not used for the establishment and maintenance of an agricultural and vocational school.

The Board of Directors of the Louisiana Rural Rehabilitation Corp. feel that more beneficial use can be made of the property if, in addition to the uses originally designated by Public Law 148, the land can be utilized for additional general educational purposes. The Department of Agriculture, the only Federal agency having an interest in the property, agrees with this proposal and has informed the committee that it favors enactment of Senate Joint Resolution 121.

In order to attain this objective, the resolution provides for the repeal of Public Law 41, 82d Congress. Hearings on Senate Joint Resolution 121, held by a special subcommittee of the Committee on Government Operations on July 17, 1959, developed the fact that the property has never been used for the purposes originally set forth in the law, and that a new site has been found for the local livestock expositions and this area is not now, and will not be, utilized for such agriculture and livestock expositions. The committee, therefore, recommends favorable action on the resolution so that the property may be utilized for general educational purposes.



Calendar No. 842

86TH CONGRESS  
1ST SESSION

# S. J. RES. 121

[Report No. 825]

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## IN THE SENATE OF THE UNITED STATES

JULY 15, 1959

Mr. ELLENDER (for himself and Mr. LONG) introduced the following joint resolution; which was read twice and referred to the Committee on Government Operations

AUGUST 27 (legislative day, AUGUST 26), 1959

Reported by Mr. GRUENING, without amendment

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## JOINT RESOLUTION

To permit certain real property heretofore conveyed to the board of supervisors of Louisiana State University and Agricultural and Mechanical College to be used for general educational purposes.

Whereas, pursuant to Public Law 148 of the Seventy-ninth Congress, the Secretary of Agriculture conveyed to the board of supervisors of Louisiana State University and Agricultural and Mechanical College for use for the establishment and maintenance of an agricultural and vocational school certain real property held by the United States under an agreement of transfer with the Louisiana Rural Rehabilitation Corporation dated March 31, 1937, such property to revert to the United States if not used for such purpose; and

Whereas, in accordance with the Rural Rehabilitation Corporation Trust Liquidation Act (Public Law 499, Eighty-first

Congress), the Secretary of Agriculture is presently administering the retained interest in said property as trustee under an agreement with the Louisiana Rural Rehabilitation Corporation dated December 15, 1953, as amended and extended on November 8, 1955; and

Whereas it is desired to permit the board of supervisors of Louisiana State University and Agricultural and Mechanical College to also use said property for general educational purposes; including the twenty-five acres authorized by Public Law 41, Eighty-second Congress, to be transferred to the police jury of the parish of Rapides, since such transfer was not made because the proposed transferee made other arrangements for holding livestock and agricultural exhibitions: Now, therefore, be it

1       *Resolved by the Senate and House of Representatives*  
2       *of the United States of America in Congress assembled,*  
3       That Public Law 41, Eighty-second Congress, is hereby re-  
4       pealed, and upon the written consent of the Louisiana Rural  
5       Rehabilitation Corporation, the Secretary of Agriculture is  
6       authorized and directed to transfer by quitclaim deed or  
7       other appropriate means to the board of supervisors of  
8       Louisiana State University and Agricultural and Mechanical  
9       College so much of the right, title, and interest remaining  
10      in the United States in and to the property which was  
11      transferred to such board pursuant to said Public Law 148,  
12      as may be necessary to permit such board to also use such  
13      property for general educational purposes.





86TH CONGRESS  
1ST SESSION

# S. J. RES. 121

[Report No. 825]

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## JOINT RESOLUTION

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To permit certain real property heretofore conveyed to the board of supervisors of Louisiana State University and Agricultural and Mechanical College to be used for general educational purposes.

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By Mr. ELLENDER and Mr. LONG

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JULY 15, 1959

Read twice and referred to the Committee on  
Government Operations

AUGUST 27 (legislative day, August 26), 1959

Reported without amendment





Aug 31, 1959

26. PROPERTY. Passed as reported H. R. 6639, to amend the act of July 14, 1945, to provide that the Louisiana State University and Agricultural and Mechanical College may use certain real property heretofore conveyed to it by the U. S. for general educational purposes. pp. 15991-2.
27. WATER RESOURCES. Passed without amendment S. 300, to amend the act of Aug. 28, 1958, establishing a study commission for certain river basins, so as to provide for the appointment to such Commission of separate representatives for the Guadalupe and San Antonio River Basins (pp. 15980-1). This bill will now be sent to the President.  
Passed with amendment H. R. 5711, granting the consent and approval of Congress to the Wabash Valley Compact (pp. 15983-5). The bill states that there has been a lack of comprehensive planning in the Wabash Valley and that there needs to be adequate organization to facilitate the coordinated development of the valley and to promote agricultural and other types of development in the valley.
28. LEGISLATIVE PROGRAM. Rep. McCormack announced that the following bills will be considered Tues., Sept. 1, under motions to suspend the rules: H. R. 8639, industrial-uses research bill; H. R. 7681, Reorganization Plan 1 relating to forest lands; H. R. 7889, marketing quotas for rice; S. 2162, employee health insurance bill; H. R. 5813, effects of insecticides on fish and wildlife; H. R. 7476, extend air pollution act; and S. 2181, amendments to Mineral Leasing Act. p. 15986.

ITEMS IN APPENDIX

29. APPROPRIATIONS. Extension of remarks of Rep. Cannon discussing the President's veto of the public works appropriation bill and inserting two lists indicating the unbudgeted items in this bill. pp. A7501-2.  
Extension of remarks of Rep. Kee urging Congress to override the President's veto of this bill. p. A7532.
30. FARM PROGRAM. Extension of remarks of Rep. Cooley criticizing the administration's farm program, and stating that "the veto power of the President, placed at Mr. Benson's disposal, has been raised as an absolute barrier between the farmers and their Government." pp. A7503-6  
Extension of remarks of Sen. Langer inserting two GTA daily radio roundups discussing the farm program and food prices. pp. A7519-20  
Rep. Rhodes inserted an address by Mr. Albert Whitehouse, industrial relations department, AFL-CIO discussing problems of unemployment, criticizing the surplus disposal programs and stating that "because we are fools, we have geared our food surplus program to the market." pp. A7545-7  
Extension of remarks of Rep. Alger inserting an article, "New Source of Food for Millions--Way Found to Grow Winter Grains In Tropics In Third of Normal Time," and asking "how welcome will be additional grain production when present surpluses bulge our warehouses?" p. A7547  
Rep. Norblad inserted an article, "Unworkable Price Supports." pp. A7547-8  
Extension of remarks of Rep. Rees inserting an editorial, "The Farmer Is Still an Important Citizen," and stating that "it concerns the general farm situation as it relates to other industries and especially its importance to the human race." pp. A7553-4



31. HOUSING. Sen. Sparkman commended and inserted an editorial, "All Or Nothing," which suggests that neither the President nor Congress can afford to take an "all-or-nothing" position regarding housing legislation. p. A7512
32. RECREATION. Sen. Douglas inserted an article by Sen. Neuberger outlining proposed plans for the preservation of scenic shorelines. pp. A7514-5  
Rep. Aspinall inserted an article outlining the recreation potential that exists in connection with the reservoirs to be constructed as a part of the Colorado River storage project. pp. A7527-8
33. EXPERIMENT STATIONS. Extension of remarks of Sen. Neuberger commending the agricultural experiment stations operated through this Department as being as significant to rural America "as the mail order house or good harvest weather," and inserting an editorial, "Work of the Experiment Stations." pp. A7518-9
34. LANDS. Extension of remarks of Rep. Aspinall stressing the need for caution in applying for public lands, and inserting extracts from a new Bureau of Land Management pamphlet, "Information of Public Lands." p. A7519
35. DEPRESSED AREAS. Extension of remarks of Rep. Keef making "one more plea" for legislation to aid the economically depressed areas. p. A7520
36. PRICES. Rep. Ray inserted an address by Hon. Saulnier, Chairman of the President's Council of Economic Advisers, "Achieving Price Stability as a Basis for Economic Growth in a Free Society." pp. A7528-30
37. ELECTRIFICATION. Rep. Utt inserted an editorial, "No Logic in Politics, as TVA and Now Trinity Project Show." p. A7532
38. COFFEE. Extension of remarks of Rep. Anfuoso discussing two recent surveys on world coffee production and U. S. coffee consumption. p. A7551

#### BILLS INTRODUCED

39. DISASTER RELIEF; FOREST ROADS. S. 2623, by Sen. Murray (for himself and Sen. Mansfield), H. R. 3946, by Rep. Anderson, Mont., and H. R. 3959, by Rep. Metcalf, relating to emergency relief, and amending sections 120 and 125 of title 23, U.S.C.; to Committees on Public Works, pp. 15919, 16023. Remarks of Sen. /, pp. 15920-1.  
Murray
40. RECLAMATION. H.R. 3947, by Rep. Baldwin and H. R. 3961, by Rep. McFall, relating to the operation and maintenance by the Secretary of the Interior of reclamation works on rivers and streams tributary to the Sacramento-San Joaquin Delta in Calif.; to Committee on Interior and Insular Affairs, p. 16023.
41. MEAT INSPECTION. H.R. 3951, by Rep. Hagen and H.R. 3954, by Rep. Horan, to permit the Department of Agriculture to cooperate with the meat inspection services of the various States; to Committee on Agriculture, p. 16023.
42. PROPERTY. H.R. 3958, by Rep. Macdonald, to authorize the payment to local governments of sums in lieu of taxes and special assessments with respect to certain Federal real property; to Committee on Interior and Insular Affairs, p. 16023





Calendar No. 878

86TH CONGRESS  
1ST SESSION

# H. R. 6669

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IN THE SENATE OF THE UNITED STATES

SEPTEMBER 1 (legislative day, AUGUST 31), 1959

Received; read twice and ordered to be placed on the calendar

---

## AN ACT

To amend the Act of July 14, 1945, to provide that the Louisiana State University and Agricultural and Mechanical College may use certain real property heretofore conveyed to it by the United States for general educational purposes.

1     *Be it enacted by the Senate and House of Representa-*  
2     *tives of the United States of America in Congress assembled,*  
3     That the first section of the Act entitled "An Act to trans-  
4     fer certain lands situated in Rapides Parish, Louisiana, to  
5     board of supervisors of Louisiana State University and Agri-  
6     cultural and Mechanical College", approved July 14, 1945  
7     (59 Stat. 468), is amended by striking out "for the estab-  
8     lishment and maintenance of an agricultural and vocational



1 school” and by inserting in lieu thereof the following: “for  
2 educational purposes”.

3 SEC. 2. The Secretary of Agriculture is authorized and  
4 directed upon written consent of the Louisiana Rural Reha-  
5 bilitation Corporation, to execute such quitclaim deed or  
6 other instruments in writing as may be necessary to carry  
7 out the amendment made by the first section of this Act.

8 SEC. 3. Public Law 41, Eighty-second Congress, ap-  
9 proved May 29, 1951 (65 Stat. 46), which provided for  
10 transfer of twenty-five acres of the subject property to the  
11 Police Jury of the Parish of Rapides, is hereby repealed  
12 since such transfer was not made because the proposed trans-  
13 feree made other arrangements for holding livestock and  
14 agricultural expositions.

Passed the House of Representatives August 31, 1959.

Attest:

RALPH R. ROBERTS,

*Clerk.*



## AN ACT

To amend the Act of July 14, 1945, to provide that the Louisiana State University and Agricultural and Mechanical College may use certain real property heretofore conveyed to it by the United States for general educational purposes.

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SEPTEMBER 1 (legislative day, August 31), 1959

Received; read twice and ordered to be placed on the  
calendar



With the following committee amendment:

Page 2, following line 8, add a new section to read as follows:

"SEC. 3. This Act shall become effective upon agreement by the Fort McDermitt Paiute and Shoshone Tribe of Indians to eliminate from their suit now pending before the Indian Claims Commission under the Act of August 13, 1946 (60 Stat. 1049), any claim based on alleged inadequate compensation for the lands involved in this Act and to renounce any other claim they may have with respect thereto. If the lands involved herein are not embraced within said suit, the transfer hereby authorized shall be considered by way of offset under section 2 of said Act. Nothing contained in this Act shall be construed as an admission of liability on the part of the United States with respect to these or any other lands."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### WHEAT ACREAGE HISTORY

The Clerk called the bill (H.R. 4874) to amend section 334 of the Agricultural Adjustment Act of 1938, as amended, to provide that for certain purposes of this section, farms on which the farm marketing excess of wheat is adjusted to zero because of underproduction shall be regarded as farms on which the entire amount of the farm marketing excess of wheat has been delivered to the Secretary or stored to avoid or postpone the payment of the penalty.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. ROOSEVELT. Mr. Speaker, reserving the right to object, I would like to ask a question. I am looking at the report and under "Purpose" it says the purpose of this bill is to correct an equitable situation. If we have to correct equitable situations around here, I would like somebody to explain the purpose of the bill.

Mr. SMITH of Kansas. Mr. Speaker, this bill is an effort to do a little justice on base acreage. A farmer has a certain allotment and if he overplants the allotment he must pay a penalty when he harvests. If he has a storm and does not raise the number of bushels he should, he is penalized too. The man who raises his wheat and markets it does not pay a penalty. It is only the man who by hail storm or some other disaster has less acreage in his base.

Mr. ROOSEVELT. I have such good respect for my friend that I think what he means is "an inequitable" situation.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 334 of the Agricultural Adjustment Act of 1938, as amended, is further amended by inserting a new paragraph (d) between paragraphs (c) and (e) to read as follows:

"(d) For the purposes of paragraphs (a), (b), and (c) of this section, any farm on

which the farm marketing excess is adjusted to zero because of underproduction pursuant to regulations implementing paragraph (12) of section 1340 of title 7 of the United States Code (7 U.S.C. 1340 (12)), shall be regarded as a farm on which the entire amount of the farm marketing excess has been delivered to the Secretary or stored in accordance with applicable regulations to avoid or postpone the payment of the penalty."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### THE CROOKED RIVER FEDERAL RECLAMATION PROJECT, OREGON

The Clerk called the bill (H.R. 4952) to amend the act authorizing the Crooked River Federal reclamation project, Oregon, in order to increase the capacity of certain project features for future irrigation of additional lands.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. WEAVER. Mr. Speaker, reserving the right to object, and I do not intend to object, I wonder if the gentleman from Oregon, author of the bill, would take a moment to clear for the record the extenuating circumstances which necessitate the continuing of this project by this legislation without a feasibility report being first submitted to the Congress.

Mr. ULLMAN. Mr. Speaker, this involves an enlargement of the canal on a reclamation project, the Crooked River Federal reclamation project in Oregon, now under construction. This is a matter of great urgency. The reclamation project itself contains some 51,000 acre-feet of water and this involves an extension of the project by an additional 2,900 acres which would receive a portion of this surplus water supply.

I called the Commissioner of Reclamation, Mr. Dominy, this morning in reference to this matter because I knew of its urgency, and I knew that the gentleman would be interested in the feasibility report. Mr. Dominy authorized me to make the following statement:

With respect to H.R. 4952, we have examined the findings of engineering and economic feasibility that will be embodied in the report on the Crooked River extension and have found them completely satisfactory.

The only reason this extension was not incorporated in the original plan was because of the matter of timing. As far as the Bureau is concerned, there remains only the matter of putting the report into final form.

He has assured me that this matter is feasible and they are very anxious that the bill be approved because they have to let contracts within the next few weeks.

Mr. WEAVER. I would like to say to the gentleman I have also talked to the Commissioner of Reclamation, Mr. Floyd Dominy, and he wholeheartedly agrees with the gentleman's statement. I withdraw my reservation, Mr. Speaker.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that the Senate bill (S. 1221) to provide equitable treatment for producers participating in the soil bank program on the basis of incorrect information furnished by the Government be considered in lieu of the House bill.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There being no objection, the Clerk read the Senate bill as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 1 of the Act entitled "An Act to authorize construction by the Secretary of the Interior of the Crooked River Federal reclamation project, Oregon," approved August 6, 1956 (70 Stat. 1058), is amended by adding to that section the following: "The Secretary of the Interior is hereby authorized to construct extra capacity in the canal below said reservoir and pumping plants located on the canal for the future irrigation of approximately three thousand acres of land, in addition to the presently proposed development, and to recognize the cost of providing such extra capacity as a deferred obligation to be paid under arrangements to be made at such time as the additional area may be brought into the project."

SEC. 2. There are hereby authorized to be appropriated such sums, in addition to the sum of \$6,339,000 authorized to be appropriated for the Crooked River Federal reclamation project in section 5 of the Act of August 6, 1956 (70 Stat. 1058), as may be required to carry out the purposes of this Act.

The bill was ordered to be read a third time, was read the third time, and passed.

A similar House bill (H.R. 4952) was laid on the table.

A motion to reconsider was laid on the table.

#### LOUISIANA STATE UNIVERSITY AND AGRICULTURAL AND MECHANICAL COLLEGE LANDS

The Clerk called the bill (H.R. 6669) to amend the act of July 14, 1945, to provide that the Louisiana State University and Agricultural and Mechanical College may use certain real property heretofore conveyed to it by the United States for general educational purposes.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the first section of the Act entitled "An Act to transfer certain lands situated in Rapides Parish, Louisiana, to board of supervisors of Louisiana State University and Agricultural and Mechanical College", approved July 14, 1945 (59 Stat. 468), is amended by striking out "for the establishment and maintenance of an agricultural and vocational school" and by inserting in lieu thereof the following: "for educational purposes".

SEC. 2. The Secretary of Agriculture shall execute such instruments in writing as may be necessary to carry out the amendments made by the first section of this Act.



With the following committee amendment:

Page 2, line 3, strike out lines 3 through 5 and insert the following:

"SEC. 2. The Secretary of Agriculture is authorized and directed upon written consent of the Louisiana Rural Rehabilitation Corporation, to execute such quitclaim deed or other instruments in writing as may be necessary to carry out the amendment made by the first section of this Act.

"SEC. 3. Public Law 41, 82d Congress, approved May 29, 1951 (65 Stat. 46), which provided for transfer of 25 acres of the subject property to the Police Jury of the Parish of Rapides, is hereby repealed since such transfer was not made because the proposed transferee made other arrangements for holding livestock and agricultural expositions."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### EQUITY UNDER SOIL BANK CONTRACTS

The Clerk called the bill (H.R. 8043) to amend the Agricultural Act of 1956.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

Mr. MARSHALL. Mr. Speaker, I ask unanimous consent that a similar Senate bill (S. 2457) to amend the act authorizing the Crooked River Federal reclamation project, Oregon, in order to increase the capacity of certain project features for future irrigation of additional lands be considered in lieu of H.R. 8043.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

The SPEAKER pro tempore. Is there objection to the consideration of the Senate bill?

Mr. FORRESTER. Mr. Speaker, reserving the right to object, and I shall not object, I would like to ask my distinguished colleague, the gentleman from Minnesota [Mr. MARSHALL], a few questions, if he would be kind enough to answer them for me.

Mr. MARSHALL. Certainly.

Mr. FORRESTER. First, I want to say to the gentleman that I know he is the author of H.R. 8043, which is the bill that is going to be dispensed with by substituting therefore the Senate bill S. 2457. I want to compliment the gentleman on the bill that he introduced, H.R. 8043, and I want to say to the gentleman that I have looked over the Senate bill here, and so far as I can see the only difference in the House bill that the gentleman introduced is the provision for payment is made mandatory, whereas in the Senate bill the discretion is in the Secretary of Agriculture.

Mr. MARSHALL. Mr. Speaker, if the gentleman will yield, I would like, first, to thank the gentleman for his kind remarks. The Senate bill and the House bill were very similar, as I have stated,

when I asked for unanimous consent that the Senate bill be substituted. It is true that the House bill language was mandatory, but the Senate report relieves any anxiety which anybody might have on that score. So, I am sure, so far as the bills are concerned, that the two bills are comparable and would accomplish exactly the same purpose.

Mr. FORRESTER. As I understand it now, the purpose of the Senate bill is the same as the House bill, H.R. 8043, as is set out in the report which accompanies H.R. 8043, where it is entitled "Purpose of the bill"; is that correct?

Mr. MARSHALL. That is correct.

Mr. FORRESTER. Now, I notice in the report from the Senate committee on the Senate bill there are several instances that they refer to which have already occurred and which they say will be covered by this legislation, if passed. In other words, the bill, by its very nature, to cover those transactions the bill is naturally retroactive.

Mr. MARSHALL. That is correct. It was the purpose of the authors of these two bills, and it was also the purpose of the report from the Department of Agriculture and the report from the Committee on Agriculture, which was unanimous, that they be retroactive.

Mr. FORRESTER. Now I would like to ask the gentleman this question. This question is based upon certain hard facts which have occurred down in the district in Georgia which I have the privilege of representing. It involves two of my constituents, Mr. J. H. Daniel and his son, down in Pulaski County, Ga. Their applications under this program had been approved by the local ASC office; approved by inspectors of the State ASC office, and by the State ASC office and payments authorized to them, and payments were made under the terms of the program. Later they, the Daniels, were advised that they had been paid \$2,929 too much, and a claim for that amount was placed in the county debt register. Now, these two constituents of mine, for many reasons, paid that amount of \$2,929 which was set out in the county debt register. Now, under the terms of this Senate bill, they would be authorized to file their claim with the Secretary and they are not barred by reason of the fact that they have paid that money; is that correct?

Mr. MARSHALL. I am sure that under the purposes of this bill they would not be discriminated against in any way, and were their claims just, under the provisions of this bill, they would be covered by this legislation. The matter referred to may have resulted from the fact that they may have received some misinformation, which undoubtedly is the case.

Mr. FORRESTER. In other words, in the case I just narrated to you, to inquire into such and reimburse if proper, is one of the prime purposes for this legislation.

Mr. MARSHALL. The gentleman is absolutely correct.

Mr. FORRESTER. I withdraw my reservation of objection, Mr. Speaker.

Mr. AVERY. Mr. Speaker, I withdraw my reservation on the substitution,

but I still have a pending objection on the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the Senate bill?

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Soil Bank Act is amended by adding at the end thereof the following new section:

"SEC. 128. Notwithstanding any other provision of law, the Secretary may, to the extent he deems it desirable in order to provide fair and equitable treatment, pay a producer compensation under the acreage reserve or conservation reserve program which he otherwise would not be entitled to receive because the contract, application therefor, action, or conduct of the producer is—

"(1) not in conformity with the provisions of the program, or

"(2) less favorable to the producer than would have been the case if it had been based on correct information, or

"(3) based on an understanding that payment would be forthcoming in an amount in excess of that permitted by the program, if it is established to the satisfaction of the Secretary that the contract, application, action, or conduct of the producer was the result of relying in good faith on the erroneous approval of such contract, application, action, or conduct by, or on the erroneous advice, determination, or computation of, an authorized representative of the Secretary."

Mr. MARSHALL. Mr. Speaker, I offer a committee amendment.

The Clerk read as follows:

Amendment offered by Mr. MARSHALL: At the end of the Senate bill, strike out the quotation marks and add the following:

"No contract heretofore or hereafter entered into shall be modified, invalidated, or changed because of the marriage of any two contracting parties."

Mr. MARSHALL. Mr. Speaker, this is a committee amendment. There is no controversy over it and I recommend that it pass.

(Mr. CARNAHAN asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. CARNAHAN. Mr. Speaker, I rise in support of H.R. 8043 introduced by my colleague the gentleman from Minnesota [Mr. MARSHALL], and I commend him for the work he has done in clearing up a perplexing problem. This bill directs the Secretary of Agriculture to pay producers compensation under the acreage reserve or conservation reserve program which the Secretary has ruled is not permitted under the law. These cases involve contracts made by producers who relied in good faith on erroneous advice of an authorized representative of the Secretary.

I introduced H.R. 8442, a similar bill this Congress and feel strongly that this legislation should be passed. A great number of producers throughout the United States have suffered extreme hardship and will continue to be unfairly treated without this legislation. In one county in the Eighth Congressional District of Missouri, there are more than 20 producers who are being asked by the Department of Agriculture to make refunds as the result of an audit made of







Sept 9, 1959

26. FEDERAL INSIGNIA. Concurred in the House amendment to S. 355, to amend title 18 of the U. S. Code so as to prohibit the misuse by collecting agencies or private detective agencies of names, emblems, and insignia to indicate a Federal agency. This bill will now be sent to the President. p. 17225
27. PROPERTY. Passed without amendment H. R. 6669, to amend the act of July 14, 1945, so as to provide that the La. State University and Agricultural and Mechanical College may use certain real property heretofore conveyed to it by the U. S. for general educational purposes. This bill will now be sent to the President. pp. 17197-8
- Passed as reported S. 1018, to direct the Postmaster General and the Administrator of GSA to transfer certain personal property to State and county agencies engaged in cooperative agricultural extension work. p. 17198
- Passed over, at the request of Sen. Keating, S. 155, to permit donations of surplus property to libraries which are tax supported or publicly owned and operated. p. 17200
28. SMALL BUSINESS. Passed over, at the request of Sen. Keating, H. R. 8599, to amend the Small Business Act so as to increase the revolving fund of the Small Business Administration from \$900,000,000 to \$1,100,000,000. p. 17200
29. ATOMIC ENERGY. Passed over, at the request of Sen. Engle, S. 2568, to amend the Atomic Energy Act of 1954 so as to provide for Federal cooperation with the States on atomic energy, including the development of radiation standards. p. 17207
30. CREDIT UNIONS. Passed as reported H. R. 8305, to make various amendments to the Federal Credit Union Act. pp. 17188-9
31. INFORMATION. The Interstate and Foreign Commerce Committee reported without amendment S. Con Res. 75, favoring active participation by Federal agencies in the Fifth International Congress of High-Speed Photography to be held in Washington, D. C., in 1960. p. 17154
32. SOIL; WATER CONSERVATION. Agreed to S. Res. 178, authorizing the printing as a Senate document of the report entitled, "Facility Needs--Soil and Water Conservation Research." p. 17197
33. LEGISLATIVE PROGRAM. Sen. Johnson announced that the calendar will be called today (Sept. 10), and that the following bills will be called up by motion: S. 2449, to extend the International Wheat Agreement Act of 1949; S. 2026, to establish an Advisory Commission on Intergovernmental Relations; and S. 2568, Federal-State cooperation on atomic energy. pp. 17171, 17261-2

ITEMS IN APPENDIX

34. BUDGET; EXPENDITURES. Extension of remarks of Rep. Collier inserting a report by the Director of the Bureau of the Budget (which appeared in an issue of Reader's Digest) and stating that it is an "authorative study of the effects of our living and spending far beyond our income and the hard inevitabilities we face as a consequence." pp. A7873-4
35. HOLIDAY. Extension of remarks of Rep. Grant inserting an editorial favoring legislation calling for a new legal public holiday every 2 years to be known as Election Day. p. A7878



36. FARM LABOR. Extension of remarks of Rep. Collier expressing concern over the "sad plight" of the migratory worker and urging "immediate" Congressional action. p. A7879
37. WEIGHTS AND MEASURES. Extension of remarks of Sen. Neuberger discussing his proposed bill which would direct the Commerce Dept. to conduct a study to determine the practicability and desirability of the adoption by the U. S. of the metric system of weights and measures, and inserting a letter and articles on this subject. pp. A7881-2
38. FARM PROGRAM. Rep. Dorn, N. Y., inserted an article, "View From the Farm." pp. A7888-9  
Speech in the House by Rep. McGovern criticizing the administration's farm program, stating that "the farm problem is not a matter of concern only to rural people," and that according to the "'free market theory' ... farmers are overproducing because of Government price supports; overproduction depresses farm income; take away firm price supports and farmers will balance supply with demand so that all will be well." He stated that when this theory is applied to agriculture it leads to "economic disaster." pp. A7907-10
39. RECREATION. Extension of remarks of Sen. Johnson and Rep. Dingell inserting correspondence favoring the preservation of natural shoreline areas. pp. A7894-5, A7897
40. PERSONNEL. Rep. Rhodes inserted an article, "Council Seeks To Change Laws That Hamper Federal Employees." pp. A7897-8

#### BILLS INTRODUCED

41. COFFEE. S. 2667, by Sen. Fong (for himself and Sen. Long of Hawaii), to amend the Agricultural Act of 1949, as amended, in order to provide a price support program for coffee produced in the State of Hawaii; to Agriculture and Forestry Committee.  
S. 2668, by Sen. Fong (for himself and Sen. Long of Hawaii), to provide a price support program for coffee produced in the State of Hawaii based upon a moving 5-year average of the prices received by the producers of such coffee to Agriculture and Forestry Committee.
42. RECREATION. S. 2664, by Sen. Bible (for himself and Sen. Cannon), and H. R. 9156, by Rep. Baring, to establish the Great Basin National Park, in Nevada; to S. and H. Interior and Insular Affairs Committees. Remarks of Sen. Bible. pp. 17154-6
43. ADJOURNMENT. S. Con. Res. 77, by Sen. Smith, relating to amendment of Legislative Reorganization Act of 1946, relative to meetings and adjournments of Congress; to Rules and Administration Committee.

#### BILLS APPROVED BY THE PRESIDENT

44. LANDS; WILDLIFE. H. R. 2725, to prohibit the use of aircraft or motor vehicles to hunt wild horses or burros on Federal lands. Approved September 8, 1959 (Public Law 86-234, 86th Congress).
45. CLAIMS. H. R. 6000, to amend title 28 of the U. S. Code so as to increase the limit for administrative settlement of claims against the U. S. under the tort claims procedure from \$1,000 to \$2,500. Approved September 8, 1959 (Public Law 86-238, 86th Congress).



### ADDITIONAL FUNDS FOR THE SELECT COMMITTEE ON SMALL BUSINESS

The resolution (S. Res. 177) providing additional funds for the Select Committee on Small Business was considered and agreed to, as follows:

*Resolved*, That in discharging the duties imposed upon it by S. Res. 58, Eighty-first Congress, agreed to February 20, 1950, as amended, the Select Committee on Small Business is authorized to expend the sum of \$10,000 from the contingent fund of the Senate in addition to any other moneys available to the committee for such purpose. The authority contained in this resolution shall expire January 31, 1960.

### PRINTING OF REPORT ENTITLED "FACILITY NEEDS—SOIL AND WATER CONSERVATION RESEARCH" AS SENATE DOCUMENT

The resolution (S. Res. 178) authorizing the printing of the report entitled "Facility Needs—Soil and Water Conservation Research" as a Senate document was considered and agreed to, as follows:

*Resolved*, That the report of the findings of the working group appointed by the Secretary of Agriculture, entitled "Facility Needs—Soil and Water Conservation Research," be printed as a Senate document.

### CONVEYANCE OF CERTAIN LANDS TO THE CITY OF CHEYENNE, WYO.—BILL PASSED OVER

The bill (S. 857) to authorize the Administrator of General Services to convey certain lands in the State of Wyoming to the city of Cheyenne, Wyo., was announced as next in order.

Mr. KEATING. Mr. President, over, by request.

The PRESIDING OFFICER. The bill will be passed over, by request.

Mr. MORSE. Mr. President, I should like to make a request with regard to the objection to consideration of the bill. I should like to ask that the objection be withheld long enough for me to make a brief statement on the bill, so that it will be in the RECORD for future consideration.

The PRESIDING OFFICER. Does the Senator from New York withhold his objection?

Mr. KEATING. I am glad to withhold my objection, Mr. President.

Mr. MORSE. Mr. President, S. 857 would authorize the Administrator of the General Services Administration to convey certain veterans hospital lands in the city of Cheyenne to the State of Wyoming without consideration.

The land proposed to be conveyed was originally given to the Veterans' Administration by the city of Cheyenne without consideration in order that a veterans' hospital might be constructed on the site. The original conveyance consisted of a 600-acre tract.

In 1948, 431 acres was reconveyed to the city of Cheyenne without consideration because the additional acres were determined not to be necessary for hospital purposes.

In July 1955 the Veterans' Administration reported an additional 90.2 acres as excess property. Sixty and two-tenths acres of the surplus land were reconveyed to the city for airport purposes.

S. 857 covers the remaining 30 acres that had been declared excess property in 1955. Cheyenne city officials have stated that the 30 acres would be utilized for park and recreational facilities.

Mr. President, I have no objection to this bill because the Morse formula is inapplicable. This bill falls squarely within the principle of the Roseburg Veterans Hospital case which I discussed in the Senate last August in connection with the dispute over the Lillie Moore land transfer. My discussion of the Roseburg Veterans Hospital reconveyance appears in the RECORD, volume 104, part 12, on page 16214.

Inasmuch as the city conveyed the land in question to the Federal Government without consideration, it is only fair that the Federal Government should reconvey any lands that are no longer necessary for the purposes for which the original conveyance to the Government was made.

Mr. President, I hope the bill will eventually pass.

The PRESIDING OFFICER. Does the Senator from New York renew his objection?

Mr. KEATING. Mr. President, I ask that the bill go over, by request.

The PRESIDING OFFICER. The bill will be passed over, by request.

### CONVEYANCE OF CERTAIN LAND TO THE CITY OF MOBILE, ALA.

The bill (S. 47) to direct the Administrator of General Services to convey to the city of Mobile, Ala., all the right, title, and interest of the United States in and to certain land was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. ENGLE. Mr. President, I ask unanimous consent that the Senate proceed to consideration of Calendar No. 877, H.R. 2386, an identical bill.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 2386) to direct the Administrator of General Services to convey to the city of Mobile, Ala., all the right, title, and interest of the United States in and to certain land.

The PRESIDING OFFICER. Is there objection to the present consideration of the House bill?

Mr. MORSE. Mr. President, in 1939, the United States conveyed the custom-house property to the city of Mobile, Ala., for public purposes at 50 percent of appraised value.

The city of Mobile now desires to obtain the property free of any Federal reversionary interest.

S. 47 as originally introduced called for a gratuitous conveyance of the remaining interest of the United States.

However, as reported by the Senate Government Operations Committee, the bill directs the Administrator of the General Services Administration to convey to the city of Mobile, at the current fair market value, all the right, title and interest of the United States in this property.

The committee amendment eliminates any Morse formula problem. I have no objection to the passage of the bill.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (H.R. 2386) was considered, ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Senate bill S. 74 will be indefinitely postponed.

### USE OF CERTAIN REAL PROPERTY FOR GENERAL EDUCATIONAL PURPOSE, LOUISIANA UNIVERSITY

The joint resolution (S.J. Res. 121) to permit certain real property heretofore conveyed to the board of supervisors of Louisiana State University to be used for general educational purposes, was announced as next in order.

Mr. ENGLE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 878, H.R. 6669, an identical bill.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 6669) to amend the act of July 14, 1945, to provide that the Louisiana State University may use certain real property heretofore conveyed to it.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. MORSE. In the interest of saving time, I ask unanimous consent that there be printed at this point in the RECORD a statement of mine with respect to this bill and an explanation of the fact that it does not violate the Morse formula.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

#### STATEMENT BY SENATOR MORSE

The Louisiana Rural Rehabilitation Corporation was the owner of 3,113 acres which was subsequently transferred to the Secretary of Agriculture, as trustee, pursuant to an agreement of 1937 between the corporation and the United States. The agreement obligated the Secretary of Agriculture to administer the assets of the corporation "for rural rehabilitation purposes in the State of Louisiana."

Public Law 41 of the 82d Congress authorized the conveyance of the entire tract to Louisiana State University for general educational purposes. However, Public Law 41 provided that 25 acres should be transferred to the parish of Rapides for use in holding livestock and agricultural expositions.

Senate Joint Resolution 121 would authorize release of the 25-acre restriction so that the entire tract would be restored to the State university for educational purposes in accordance with the proposal contained in Public Law 41.

The resolution does not violate the Morse formula because it merely implements the trust arrangement for the benefit of the cestui of the trust.



The PRESIDING OFFICER. Is there objection to the present consideration of the House bill?

There being no objection, the bill (H.R. 6639) was considered, ordered to a third reading, read the third time, and passed.

#### DONATION OF SURPLUS PROPERTY TO CERTAIN AGENCIES

The bill (S. 1018) to authorize the donation of surplus property to certain agencies engaged in cooperative agricultural extension work, and for other purposes, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. PROUTY. Mr. President, I wonder if we could have an explanation of the bill.

The PRESIDING OFFICER. An explanation is called for. The Chair recognizes the Senator from Mississippi.

Mr. STENNIS. Mr. President—  
The PRESIDING OFFICER. Before the Senator from Mississippi proceeds, the Chair will again insist that the Senate be in order. We make much better progress in going through a lengthy calendar if we have order. The Senator will not proceed until we do have order.

The Senator from Mississippi may proceed.

Mr. STENNIS. I thank the Presiding Officer.

Mr. President, the Senator from Alaska [Mr. GRUENING] presided at the hearings on this bill. He is detained somewhere. I would rather have him make the explanation.

However, the actual operation of the bill as presented by the committee is very limited and covers only a situation in which the Post Office Department has excess furniture, and similar supplies, and when it has already permitted the Extension Service located in that post office building to have the use of the surplus property.

In such a case the bill permits the Post Office Department to transfer the ownership and title of that property now in use and in the possession of the Extension Service to the Extension Service.

The only reason why legislation on the subject is necessary is that the Extension Service does not qualify as a Federal agency; otherwise, they could receive this property under present law.

The bill itself is limited to the narrow confines of furniture or utilities of that kind already being used in the post office building; in other words, it confirms the loan and the title.

A more far-reaching effect is coming into being in a ruling of the executive branch of the Government, qualifying the Extension Service as an agency being engaged in educational work, and thus making it eligible for certain limited amounts of furniture.

The committee unanimously reported the bill. The subcommittee also was unanimous in its report.

Mr. PROUTY. Has the Senator any estimate of the cost involved?

Mr. STENNIS. I do not know that there is available any particular estimate

of cost or value. Only secondhand property is involved. It is already out of use by the Post Office Department. It is located in the post office building and it is being used by the Extension Service. Technically, it cannot be transferred to the Extension Service. The bill would permit such a transfer.

Mr. PROUTY. I thank the Senator for his explanation. I have no objection.

Mr. MORSE. Will the Senator yield for a question?

Mr. STENNIS. I am glad to yield.

Mr. MORSE. In my opinion, this is a good bill. That opinion is based on an understanding which I wish the Senator to check. As I understand, the bill would have uniform application. It does not single out any particular town or any particular beneficiary, but is to be a uniform policy.

Mr. STENNIS. Yes; it is nationwide in its application, but it applies only to transfers or loans of the property concerned which have already been made.

Mr. MORSE. The uniform principle makes it a very sound piece of legislation. Next, I understand it is to apply to the future as well as to the past. Is that correct?

Mr. STENNIS. The bill itself will have no application to the future. As I understand, under a new policy in the executive department, the Extension Service is made eligible for the transfer of such property to it in the future, as an educational institution or agency. That will dispense with the need for legislation on the subject in the future.

Mr. MORSE. That is the point I wish to make.

Mr. STENNIS. That policy is more far reaching than the bill.

Mr. MORSE. I approve of the bill.

Mr. STENNIS. I thank the Senator.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Government Operations with an amendment, to strike out all after the enacting clause and insert:

That, notwithstanding any provision of the Federal Property and Administrative Services Act of 1949, as amended, or any other law, the Postmaster General and the Administrator of General Services are hereby authorized and directed to transfer, as soon as practicable after date of enactment hereof, without cost, to any State or county agency engaged in cooperative agricultural extension work pursuant to the Act of May 8, 1914, as amended (7 U.S.C. 341-348), for the use of such agency, all right, title, and interest in and to any office equipment, materials, books, or other supplies (whether or not capitalized in a working capital fund established under section 405 of the National Security Act of 1947, as amended, or any similar fund) which have heretofore been assigned for use to any such State or county agency by the Post Office Department or the General Services Administration, respectively.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to authorize and direct the trans-

fer of certain personal property to State and county agencies engaged in cooperative agricultural extension work."

#### ISSUANCE OF GOLD MEDAL IN HONOR OF THE LATE PROFESSOR ROBERT H. GODDARD

The joint resolution (H.J. Res. 19) to authorize the issuance of a gold medal in honor of the late Professor Robert H. Goddard was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate proceeded to consider the joint resolution.

Mr. ROBERTSON. Mr. President, the Senate Banking and Currency Committee was unanimous in reporting House Joint Resolution 19, to authorize the Congress to present an appropriate gold medal to the family of the late Dr. Robert H. Goddard. For this purpose the Secretary of the Treasury is authorized and directed to strike the medal. The selection of suitable emblems and inscriptions for the medal, and the presentation to Dr. Goddard's family, would be made by the chairmen of the House Committee on Science and Astronautics and the Senate Committee on Aeronautical and Space Sciences, in behalf of the Congress.

Duplicate medals in bronze would be coined and sold by the Secretary of the Treasury.

Mr. President, it is entirely fitting that we should thus honor the memory of this American genius. His pioneering work in the development of rockets laid the basic groundwork for all of today's missiles and satellites.

It should be a great inspiration to all Americans—and especially our young boys and girls—that this dedicated man, working virtually alone and unnoticed, through sheer determination and devotion to his country, built the foundation for developments which are having, and will have a profound effect on the history of the world.

Mr. President, I ask unanimous consent to have placed in the RECORD at this point a biography of Dr. Goddard and a summary of his achievements.

There being no objection, the biography and summary were ordered to be printed in the RECORD, as follows:

#### BIOGRAPHY OF ROBERT HUTCHINGS GODDARD

Physicist; born in Worcester, Mass., October 5, 1882. Education: bachelor of science degree, Worcester Polytechnic Institute, 1908; master of arts degree, Clark University, 1910; doctor of philosophy degree, 1911; doctor of science degree, 1945. Married Esther Christine Kisk, June 21, 1924. Instructor, Worcester Polytechnic Institute, 1909-11; Princeton University, 1912-13; instructor and fellow in physics, 1914-15, assistant professor, 1915-19, professor, 1919-43, Clark University, also director of the physical laboratories. Leave of absence, 1930-32 and 1934-42, engaged in rocket research, under Daniel and Florence Guggenheim Foundation grants; director of research, Bureau of Aeronautics, Navy Department, 1942-45; consulting engineer, Curtiss-Wright Corp., 1943-45. Served as director of research, U.S. Signal Corps, Worcester Polytechnic Institute, and Mount







Public Law 86-285  
86th Congress, H. R. 6669  
September 16, 1959

AN ACT

73 STAT. 567.

To amend the Act of July 14, 1945, to provide that the Louisiana State University and Agricultural and Mechanical College may use certain real property heretofore conveyed to it by the United States for general educational purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the first section of the Act entitled "An Act to transfer certain lands situated in Rapides Parish, Louisiana, to board of supervisors of Louisiana State University and Agricultural and Mechanical College", approved July 14, 1945 (59 Stat. 468), is amended by striking out "for the establishment and maintenance of an agricultural and vocational school" and by inserting in lieu thereof the following: "for educational purposes".

Louisiana State University and Agricultural and Mechanical College.

SEC. 2. The Secretary of Agriculture is authorized and directed upon written consent of the Louisiana Rural Rehabilitation Corporation, to execute such quitclaim deed or other instruments in writing as may be necessary to carry out the amendment made by the first section of this Act.

SEC. 3. Public Law 41, Eighty-second Congress, approved May 29, 1951 (65 Stat. 46), which provided for transfer of twenty-five acres of the subject property to the Police Jury of the Parish of Rapides, is hereby repealed since such transfer was not made because the proposed transferee made other arrangements for holding livestock and agricultural expositions.

Repeal.

Approved September 16, 1959.

